

JUVENILE JUSTICE AND DELINQUENCY PREVENTION

SUBCHAPTER I--GENERALLY

42 U.S.C. 5601 Sec. 101. Congressional statement of findings

(a) The Congress hereby finds that--

crimes
such arrests

(1) juveniles accounted for almost half the arrests for serious in the United States in 1974 and for less than one-third of in 1983;

(2) recent trends show an upsurge in arrests of adolescents for murder, assault, and weapon use;

(3) the small number of youth who commit the most serious and violent offenses are becoming more violent;

and
facilities
facilities
help;

(4) understaffed, overcrowded juvenile courts, prosecutorial public defender offices, probation services, and correctional and inadequately trained staff in such courts, services, and are not able to provide individualized justice or effective

programs, and
children, who,
become

(5) present juvenile courts, foster and protective care shelter facilities are inadequate to meet the needs of because of this failure to provide effective services, may delinquents;

particular

(6) existing programs have not adequately responded to the problems of the increasing numbers of young people who are addicted to or who abuse alcohol and other drugs, particularly nonopiate or polydrug abusers;

designed
the
expulsions;

(7) juvenile delinquency can be reduced through programs to keep students in elementary and secondary schools through prevention of unwarranted and arbitrary suspensions and

presently
deal

(8) States and local communities which experience directly the devastating failures of the juvenile justice system do not have sufficient technical expertise or adequate resources to deal comprehensively with the problems of juvenile delinquency;

crisis of (9) existing Federal programs have not provided the direction, coordination, resources, and leadership required to meet the delinquency;

attention to the (10) the juvenile justice system should give additional problem of juveniles who commit serious crimes, with particular attention given to the areas of sentencing, providing resources necessary for informed dispositions, and rehabilitation;

entering the (11) emphasis should be placed on preventing youth from juvenile justice system to begin with; and

through (12) the incidence of juvenile delinquency can be reduced public recreation programs and activities designed to provide youth with social skills, enhance self esteem, and encourage the constructive use of discretionary time.

in the (b) Congress finds further that the high incidence of delinquency immeasurable United States today results in enormous annual cost and and loss of human life, personal security, and wasted human resources national that juvenile delinquency constitutes a growing threat to the Federal welfare requiring immediate and comprehensive action by the Government to reduce and prevent delinquency.

42 U.S.C. 5602 Sec. 102. Congressional declaration of purpose and policy

(a) It is the purpose of this chapter--

federally (1) to provide for the thorough and ongoing evaluation of all assisted juvenile justice and delinquency prevention programs;

nonprofit (2) to provide technical assistance to public and private juvenile justice and delinquency prevention programs;

activities relate (3) to establish training programs for persons, including professionals, paraprofessionals, and volunteers, who work with delinquents or potential delinquents or whose work or to juvenile delinquency programs;

of (4) to establish a centralized research effort on the problems juvenile delinquency, including the dissemination of the findings of such research and all data related to juvenile delinquency;

standards
recommendations
Federal,
standards;

develop

been a

from

the

from

provide the
and
and
homes;
delinquency, to
to
(3) to
(4) to
and
delinquency

(5) to develop and encourage the implementation of national
for the administration of juvenile justice, including
for administrative, budgetary, and legislative action at the
State, and local level to facilitate the adoption of such

(6) to assist States and local communities with resources to
and implement programs to keep students in elementary and
secondary schools and to prevent unwarranted and arbitrary
suspensions and expulsions;

(7) to establish a Federal assistance program to deal with the
problems of runaway and homeless youth;

(8) to strengthen families in which juvenile delinquency has
problem;

(9) to assist State and local governments in removing juveniles
jails and lockups for adults;

(10) to assist State and local governments in improving the
administration of justice and services for juveniles who enter
system; and

(11) to assist States and local communities to prevent youth
entering the justice system to begin with.

(b) It is therefore the further declared policy of Congress to
necessary resources, leadership, and coordination (1) to develop
implement effective methods of preventing and reducing juvenile
delinquency, including methods with a special focus on preserving
strengthening families so that juveniles may be retained in their

(2) to develop and conduct effective programs to prevent
divert juveniles from the traditional juvenile justice system and
provide critically needed alternatives to institutionalization;

(3) to
improve the quality of juvenile justice in the United States;

(4) to
increase the capacity of State and local governments and public
private agencies to conduct effective juvenile justice and

delinquency prevention and rehabilitation programs and to provide research, evaluation, and training services in the field of juvenile prevention; (5) to encourage parental involvement in treatment and alternative disposition programs; and (6) to provide for coordination of services between State, local, and community-based agencies and to promote interagency cooperation in providing such services.

42 U.S.C. 5603 Sec. 103. Definitions

For purposes of this chapter--

means a (1) the term "community based" facility, program, or service small, open group home or other suitable place located near the juvenile's home or family and programs of community supervision and service which maintain community and consumer participation in the planning operation, and evaluation of their programs which may include, but are not limited to, medical, educational, vocational, social, and psychological guidance, training, special education, counseling, alcoholism treatment, drug treatment, and other rehabilitative services;

(2) the term "Federal juvenile delinquency program" means any juvenile delinquency program which is conducted, directly, or indirectly, or is assisted by any Federal department or agency, including any program funded under this chapter;

or (3) the term "juvenile delinquency program" means any program activity related to juvenile delinquency prevention, control, diversion, treatment, rehabilitation, planning, education, training, and research, including drug and alcohol abuse programs; the improvement of the juvenile justice system; and any program or activity to help prevent juvenile delinquency;

(4)(A) the term "Bureau of Justice Assistance" means the bureau established by section 3741 of this title;

(B) the term "Office of Justice Programs" means the office established by section 3711 of this title;

institute (C) the term "National Institute of Justice" means the established by section 3722(a) of this title; and

(D) the term "Bureau of Justice Statistics" means the bureau established by section 3732(a) of this title;

by (5) the term "Administrator" means the agency head designated section 5611(b) of this title;

or the (6) the term "law enforcement and criminal justice" means any police activity pertaining to crime prevention, control, or reduction enforcement of the criminal law, including, but not limited to efforts to prevent, control, or reduce crime or to apprehend criminals, activities of courts having criminal jurisdiction and related agencies (including prosecutorial and defender services), activities of corrections, probation, or parole authorities, and programs relating to the prevention, control, or reduction of juvenile delinquency or narcotic addiction;

District (7) the term "State" means any State of the United States, the Territory of Columbia, the Commonwealth of Puerto Rico, the Trust of the Pacific Islands, the Virgin Islands, Guam, American Samoa,

general (8) the term "unit of general local government" means any city, county, township, town, borough, parish, village, or other purpose political subdivision of a State, an Indian tribe which performs law enforcement functions as determined by the Secretary of the Interior, or, for the purpose of assistance eligibility, any agency of the District of Columbia government performing law enforcement functions in and for the District of Columbia and funds appropriated by the Congress for the activities of such agency may be used to provide the non-Federal share of the cost of programs or projects funded under this subchapter;

general (9) the term "combination" as applied to States or units of local government means any grouping or joining together of such States or units for the purpose of preparing, developing, or implementing a juvenile justice and delinquency prevention plan;

equipment (10) the term "construction" means acquisition, expansion, remodeling, and alteration of existing buildings, and initial

land for
of any such buildings, or any combination of such activities
(including architects' fees but not the cost of acquisition of
buildings);

department,
(11) the term "public agency" means any State, unit of local
government, combination of such States or units, or any
agency, or instrumentality of any of the foregoing;

private
(12) the term "secure detention facility" means any public or
residential facility which--

restrict
individuals
(A) includes construction fixtures designed to physically
the movements and activities of juveniles or other
held in lawful custody in such facility; and

is
or
criminal
(B) is used for the temporary placement of any juvenile who
accused of having committed an offense, of any nonoffender,
of any other individual accused of having committed a
offense;

or
(13) the term "secure correctional facility" means any public
private residential facility which--

restrict
individuals
(A) includes construction fixtures designed to physically
the movements and activities of juveniles or other
held in lawful custody in such facility; and

disposition,
an
of a
(B) is used for the placement, after adjudication and
of any uvenile who has been adjudicated as having committed
offense, any nonoffender, or any other individual convicted
criminal offense;

rape
kidnapping,
felony,
extortion
felony;
(14) the term "serious crime" means criminal homicide, forcible
or other sex offenses punishable as a felony, mayhem,
aggravated assault, robbery, larceny or theft punishable as a
motor vehicle theft, burglary or breaking and entering,
accompanied by threats of violence, and arson punishable as a

medical,
vocational
other
including
eliminating
drugs
addiction or

(15) the term "treatment" includes but is not limited to educational, special education, social, psychological, and services, corrective and preventive guidance and training, and rehabilitative services designed to protect the public, services designed to benefit addicts and other users by their dependence on alcohol or other addictive or nonaddictive or by controlling their dependence and susceptibility to use;

a

(16) the term "valid court order" means a court order given by juvenile court judge to a juvenile--

such

(A) who was brought before the court and made subject to order;

full due
Constitution of

(B) who received, before the issuance of such order, the process rights guaranteed to such juvenile by the the United States;

of

(C) with respect to whom an appropriate public agency (other than a court or law enforcement agency), before the issuance such order--

(i) reviewed the behavior of such juvenile and the circumstances under which such juvenile was brought before the court and made subject to such order;

such
to

(ii) determined the reasons for the behavior that caused juvenile to be brought before the court and made subject such order;

treatment),
secure

(iii) determined that all dispositions (including other than placement in a secure detention facility or a correctional facility, have been exhausted or are clearly inappropriate; and

results

(iv) submitted to the court a written report stating the of the review conducted under clause (i) and the determinations made under clauses (ii) and (iii);

Juvenile
5616(a)(1)

(17) the term "Council" means the Coordinating Council on Justice and Delinquency Prevention established in section of this title;

(18) the term "Indian Tribe" means--

(A) a federally recognized Indian tribe; or

(B) an Alaskan Native organization;

services"

(19) the term "comprehensive and coordinated system of means a system that--

goals

the

protect

(A) ensures that services and funding for the prevention and treatment of juvenile delinquency are consistent with policy of preserving families and providing appropriate services in least restrictive environment so as to simultaneously juveniles and maintain public safety;

young

behavioral

for

(B) identifies, and intervenes early for the benefit of, children who are at risk of developing emotional or problems because of physical or mental stress or abuse, and the benefit of their families;

involvement in

(C) increases interagency collaboration and family the prevention and treatment of juvenile delinquency; and

delivery of

delinquency;

(D) encourages private and public partnerships in the services for the prevention and treatment of juvenile

designed to

such

(20) the term "gender-specific services" means services address needs unique to the gender of the individual to whom services are provided;

alternative to

(21) the term "home-based alternative services" means services provided to a juvenile in the home of the juvenile as an incarcerating the juvenile, and includes home detention;

facility that is

(22) the term "jail or lockup for adults" means a locked

used by a State, unit of local government, or any law
enforcement authority to detain or confine adults--

(i) pending the filing of a charge of violating a criminal
law;

(ii) awaiting trial on a criminal charge; or

(iii) convicted of violating a criminal law; and

(23) the term "nonprofit organization" means an organization
described in section 501(c)(3) of Title 26 that is exempt from
taxation
under section 501(a) of Title 26.

PROGRAMS AND OFFICES
TITLE II - SUBCHAPTER II
JUVENILE JUSTICE AND DELINQUENCY PREVENTION OFFICE
PART A

42 U.S.C. 5611 Sec. 201. Establishment

(a) Placement within Department of Justice under general
authority of Attorney General. There is hereby established an Office of
Juvenile Justice and Delinquency Prevention (hereinafter in this
subchapter referred to as the "Office") within the Department of Justice
under the general authority of the Attorney General.

(b) Administrator; head, appointment, authorities, etc. The
Office shall be headed by an Administrator (hereinafter in this subchapter
referred to as the "Administrator") appointed by the President, by and with
the advice and consent of the Senate, from among individuals who have
had experience in juvenile justice programs. The Administrator is
authorized to prescribe regulations consistent with this chapter to award,
administer, modify, extend, terminate, monitor, evaluate, reject, or deny all
grants and contracts from, and applications for, funds made available
under this subchapter. The Administrator shall have the same reporting
offices relationship with the Attorney General as the directors of other
and bureaus within the Office of Justice Programs have.

(c) Deputy Administrator; appointment, functions, etc. There
shall be

the in the Office a Deputy Administrator who shall be appointed by
the Attorney General. The Deputy Administrator shall perform such
delegate functions as the Administrator may from time to time assign or
disability of the and shall act as the Administrator during the absence or
the Administrator.

42 U.S.C. 5612. Sec. 202. Personnel

officers (a) Selection; employment; compensation. The Administrator is
the authorized to select, employ, and fix the compensation of such
functions. and employees, including attorneys, as are necessary to perform
the functions vested in the Administrator and to prescribe their

appoint, (b) Special personnel. The Administrator is authorized to select,
compensation at and employ not to exceed three officers and to fix their
section 5376 rates not to exceed the rate now or hereafter payable under
of Title 5.

detail, on (c) Personnel from other agencies. Upon the request of the
to assist Administrator, the head of any Federal agency is authorized to
Administrator a reimbursable basis, any of its personnel to the Administrator
under this subchapter. the Administrator in carrying out the functions of the

services as (d) Experts and consultants. The Administrator may obtain
rate now authorized by section 3109 of Title 5, at rates not to exceed the
or hereafter payable under section 5376 of Title 5.

42 U.S.C. 5613 Sec. 203. Voluntary and uncompensated services

out The Administrator is authorized to accept and employ, in carrying
services the provisions of this chapter, voluntary and uncompensated
notwithstanding the provisions of section 1342 of Title 31.

42 U.S.C. 5614 Sec. 204. Concentration of Federal efforts

(a) Implementation of policy by Administrator; consultation with
Council and Advisory Committee

a (1) The Administrator shall develop objectives, priorities, and

carry
and
treatment,
juvenile
functions of
Council.

long-term plan, and implement overall policy and a strategy to
out such plan, for all Federal juvenile delinquency programs
activities relating to prevention, diversion, training,
rehabilitation, evaluation, research, and improvement of the
justice system in the United States. In carrying out the
the Administrator, the Administrator shall consult with the

(2)(A) The plan described in paragraph (1) shall--

and
other

(i) contain specific goals and criteria for making grants
contracts, for conducting research, and for carrying out
activities under this subchapter; and

and
of all
activities,
the

(ii) provide for coordinating the administration programs
activities under this subchapter with the administration
other Federal juvenile delinquency programs and
including proposals for joint funding to be coordinated by
Administrator.

(B) The Administrator shall review the plan described in
paragraph (1) annually, revise the plan as the Administrator
considers appropriate, and publish the plan in the Federal
Register--

period

(i) not later than 240 days after November 4, 1992, in the
case of the initial plan required by paragraph (1); and

(ii) except as provided in clause (i), in the 30-day
ending on October 1 of each year.

this (b) Duties of Administrator. In carrying out the purposes of chapter, the Administrator shall--

matters (1) advise the President through the Attorney General as to all relating to federally assisted juvenile delinquency programs and Federal policies regarding juvenile delinquency;

responsibilities (2) assist operating agencies which have direct for the prevention and treatment of juvenile delinquency in the development and promulgation of regulations, guidelines, requirements, criteria, standards, procedures, and budget requests in accordance with the policies, priorities, and objectives the Administrator establishes;

performance (3) conduct and support evaluations and studies of the and results achieved by Federal juvenile delinquency programs and activities and of the prospective performance and results that might be achieved by alternative programs and activities supplementary to or in lieu of those currently being administered;

activities (4) implement Federal juvenile delinquency programs and among Federal departments and agencies and between Federal juvenile delinquency programs and activities and other Federal programs and activities which the Administrator determines may have an important bearing on the success of the entire Federal juvenile delinquency effort;

the (5)(A) develop for each fiscal year, and publish annually in Federal Register for public comment, a proposed comprehensive plan describing the particular activities which the Administrator intends to carry out under parts C and D of this subchapter in such fiscal year, specifying in detail those activities designed to satisfy the requirements of parts C and D of this subchapter; and

(B) taking into consideration comments received during the 45-day period beginning on the date the proposed plan is published, develop and publish a final plan, before December

which the
this
activities
this

of such fiscal year, describing the particular activities
Administrator intends to carry out under parts C and D of
subchapter in such fiscal year, specifying in detail those
designed to satisfy the requirements of parts C and D of
subchapter;

under (6) provide for the auditing of monitoring systems required
such section 5633(a)(15) of this title to review the adequacy of
systems; and

(7) not later than 1 year after November 4, 1992, issue model
standards for providing health care to incarcerated juveniles.

agencies. The (c) Information, reports, studies, and surveys from other
Federal Administrator may require, through appropriate authority, Federal
such departments and agencies engaged in any activity involving any
as the juvenile delinquency program to provide the Administrator with
of this information and reports, and to conduct such studies and surveys,
Administrator may deem to be necessary to carry out the purposes
part.

of the (d) Delegation of functions. The Administrator may delegate any
officer or functions of the Administrator under this subchapter, to any
employee of the Office.

services (e) Utilization of services and facilities of other agencies;
other reimbursement. The Administrator is authorized to utilize the
agreements, and facilities of any agency of the Federal Government and of any
public agency or institution in accordance with appropriate
and to pay for such services either in advance or by way of
reimbursement as may be agreed upon.

Health (h) Coordination of functions of Administrator and Secretary of
this and Human Services. All functions of the Administrator under
of the subchapter shall be coordinated as appropriate with the functions
chapter. Secretary of Health and Human Services under subchapter III of this

(i) Annual juvenile delinquency development statements of other
agencies; procedure; contents; review by Administrator

authority (1) The Administrator shall require through appropriate
juvenile each Federal agency which administers a Federal juvenile
delinquency program to submit annually to the Council a
delinquency development statement. Such statement shall be in
addition to any information, report, study, or survey which the

Administrator may require under subsection (c) of this section.

to the
contain
to
further
juvenile
Administrator
statement,
included by

(2) Each juvenile delinquency development statement submitted Administrator under paragraph (1) of this subsection shall such information, data, and analyses as the Administrator may require. Such analyses shall include an analysis of the extent which the juvenile delinquency program of the Federal agency submitting such development statement conforms with and Federal juvenile delinquency prevention and treatment goals and policies.

(3) The Administrator shall review and comment upon each delinquency development statement transmitted to the under paragraph (1) of this subsection. Such development together with the comments of the Administrator, shall be the Federal agency involved in every recommendation or request made by such agency for Federal legislation which significantly affects juvenile delinquency prevention and treatment.

42 U.S.C. 5615 Sec. 205. Joint funding; Non-Federal share requirements

agency,
juvenile
all in
the
the
grant
agency or

Notwithstanding any other provision of law, where funds are made available by more than one Federal agency to be used by any organization, institution, or individual to carry out a Federal delinquency program or activity, any one of the Federal agencies providing funds may be requested by the Administrator to act for administering the funds advanced whenever the Administrator finds program or activity to be exceptionally effective or for which Administrator finds exceptional need. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and the Administrator may order any such agency to waive any technical or contract requirement (as defined in such regulations) which is inconsistent with the similar requirement of the administering which the administering agency does not impose.

42 U.S.C. 5616 Sec. 206. Coordinating Council on Juvenile Justice and Delinquency Prevention

(a) Establishment; membership

in the
Council

the
of
of
the
Officer

officers
authority as

political
from
juvenile justice

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minority

leader
of

(ii),

(1) There is hereby established, as an independent organization executive branch of the Federal Government a Coordinating on Juvenile Justice and Delinquency Prevention composed of the Attorney General, the Secretary of Health and Human Services, Secretary of Labor, the Secretary of Education, the Secretary Housing and Urban Development, the Administrator of the Office Juvenile Justice and Delinquency Prevention, the Director of Office of National Drug Control Policy, the Chief Executive of the Corporation for National and Community Service, the Commissioner of Immigration and Naturalization, such other of Federal agencies who hold significant decisionmaking the President may designate, and individuals appointed under paragraph (2).

(2)(A) Nine members shall be appointed, without regard to affiliation, to the Council in accordance with this paragraph among individuals who are practitioners in the field of and who are not officers or employees of the United States.

(B)(i) Three members shall be appointed by the Speaker of House of Representatives, after consultation with the leader of the House of Representatives.

(ii) Three members shall be appointed by the majority of the Senate, after consultation with the minority leader the Senate.

(iii) Three members shall be appointed by the President.

(C)(i) Of the members appointed under each of clauses (i), and (iii)--

(I) 1 shall be appointed for a term of 1 year;

(II) 1 shall be appointed for a term of 2 years; and

(III) 1 shall be appointed for a term of 3 years;

as designated at the time of appointment.

(ii) Except as provided in clause (iii), a vacancy arising during the term for which an appointment is made may be filled only for the remainder of such term.

is (iii) After the expiration of the term for which a member appointed, such member may continue to serve until a successor is appointed.

as (b) Chairman and Vice Chairman. The Attorney General shall serve Chairman of the Council. The Administrator of the Office of Juvenile Justice and Delinquency Prevention shall serve as Vice Chairman of the Council. The Vice Chairman shall act as Chairman in the absence of the Chairman.

(c) Functions

(1) The function of the Council shall be to coordinate all Federal juvenile delinquency programs (in cooperation with State and local juvenile justice programs) all Federal programs and activities that detain or care for unaccompanied juveniles, and all Federal programs relating to missing and exploited children. The Council shall examine how the separate programs can be coordinated among children Federal, State, and local governments to better serve at-risk to and juveniles shall make recommendations to the President, and coordination of the Congress, at least annually with respect to the all overall policy and development of objectives and priorities for Federal Federal juvenile delinquency programs and activities and all programs and activities that detain or care for unaccompanied of juveniles. The Council shall review the programs and practices agency Federal agencies and report on the degree to which Federal inconsistent with funds are used for purposes which are consistent or 5633(a) the mandates of paragraphs (12)(A), (13) and (14) of section recommendations of this title. The Council shall review, and make Office with respect to, any joint funding proposal undertaken by the reasons of Juvenile Justice and Delinquency Prevention and any agency represented on the Council. The Council shall review the

why Federal agencies take juveniles into custody and shall make recommendations regarding how to improve Federal practices and facilities for holding juveniles in custody.

(2) In addition to performing their functions as members of the Council, the members appointed under subsection (a)(2) of this section shall collectively--

(A) make recommendations regarding the development of the objectives, priorities, and the long-term plan, and the implementation of overall policy and the strategy to carry

out

such plan, referred to in section section 5614(a)(1) of this

title;

and

(B) not later than 180 days after November 4, 1992, submit

such

recommendations to the Administrator, the Chairman of the Committee on Education and Labor of the House of Representatives, and the Chairman of the Committee on the Judiciary of the Senate.

(d) Meetings. The Council shall meet at least quarterly.

(e) Appointment of personnel or staff support by Administrator.

The

Administrator shall, with the approval of the Council, appoint

such

personnel or staff support as the Administrator considers

necessary to

carry out the purposes of this subchapter.

(f) Expenses of Council members; reimbursement. Members

appointed

under subsection (a)(2) of this section shall serve without

compensation.

Members of the Council shall be reimbursed for travel,

subsistence, and

other necessary expenses incurred by them in carrying out the

duties of

the Council.

(g) Authorization of appropriations. Of sums available to carry

out this

part, not more than \$200,000 shall be available to carry out this

section.

42 U.S.C. 5617 Sec. 207. Annual report

Not later than 180 days after the end of a fiscal year, the

Administrator

shall submit to the President, the Speaker of the House of Representatives, and the President pro tempore of the Senate a

report

that contains the following with respect to such fiscal year:

available
at
demonstrated
offenders.
to
-

(1) A detailed summary and analysis of the most recent data regarding the number of juveniles taken into custody, the rate which juveniles are taken into custody, and the trends by the data required by subparagraphs (A), (B), and (C). Such summary and analysis shall set out the information required by subparagraphs (A), (B), (C), and (D) separately for juvenile nonoffenders, juvenile status offenders, and other juvenile offenders. Such summary and analysis shall separately address with respect to each category of juveniles specified in the preceding sentence-

charged;

(A) the types of offenses with which the juveniles are

(B) the race and gender of the juveniles;

(C) the ages of the juveniles;

(D) the types of facilities used to hold the juveniles (including juveniles treated as adults for purposes of prosecution) in correctional custody, including secure detention facilities, secure facilities, jails, and lockups;

the

(E) the number of juveniles who died while in custody and circumstances under which they died; and

information

(F) the educational status of juveniles, including grade relating to learning disabilities, failing performance, retention, and dropping out of school.

expended under

(2) A description of the activities for which funds are this part, including the objectives, priorities, accomplishments, and recommendations of the Council.

the

(3) A description, based on the most recent data available of extent to which each State complies with section 5633 of this title and with the plan submitted under such section by the State for such fiscal year.

is

(4) A summary of each program or activity for which assistance

the provided under part C or D of this subchapter, an evaluation of
results of such program or activity, and a determination of the
feasibility and advisability of replicating such program or
activity in other locations.

(5) A description of selected exemplary delinquency prevention
programs for which assistance is provided under this title,
with particular attention to community-based juvenile delinquency
prevention programs that involve and assist families of
juveniles.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART B--FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS

42 U.S.C. 5631 Sec.221. Authority to make grants and contracts

(a) The Administrator is authorized to make grants to States and
units of general local government or combinations thereof to assist them
in planning, establishing, operating, coordinating, and evaluating
projects directly or through grants and contracts with public and private
agencies for the development of more effective education, training,
research, prevention, diversion, treatment, and rehabilitation programs in
the area of juvenile delinquency and programs to improve the juvenile
justice system.

(b)(1) With not to exceed 2 percent of the funds available in a
fiscal year to carry out this part, the Administrator shall make grants to
and enter into contracts with public and private agencies, organizations,
and individuals to provide technical assistance to States, units of
general local governments (and combinations thereof), and local private
agencies to facilitate compliance with section 5633 of this title and
implementation of the State plan approved under section 5633(c) of this title.

(2) Grants and contracts may be made under paragraph (1) only
to public and private agencies, organizations, and individuals
that have experience in providing such technical assistance. In
providing such

under this technical assistance, the recipient of a grant or contract
agency subsection shall coordinate its activities with the State
described in section 5671(c)(1) of this title.

42 U.S.C. 5632 Sec. 222. Allocation of funds

(a) Time; basis; amounts

among (1) Subject to paragraph (2) and in accordance with regulations
age promulgated under this part, funds shall be allocated annually
the States on the basis of relative population of people under
eighteen.

appropriated (2)(A) Subject to paragraph (3), if the aggregate amount
parts D and for a fiscal year to carry out this subchapter (other than
State E) is less than \$75,000,000, then the amount allocated to each
greater for such fiscal year shall be not less than \$325,000, or such
amount, up to \$400,000, as is available to be allocated without
reducing the amount of any State or territory's allocation
below the amount allocated for fiscal year 1992 except that the amount
allocated to the Virgin Islands of the United States, Guam, American
Samoa, the Trust Territory of the Pacific Islands, and the
Commonwealth of the Northern Mariana Islands shall be not less than \$75,000 or
such greater amount, up to \$100,000, as is available to be allocated
without reducing the amount of any State or territory's
allocation below the amount allocated for fiscal year 1992, each.

(B) Subject to paragraph (3), if the aggregate amount
(other appropriated for a fiscal year to carry out this subchapter
than part D) equals or exceeds \$75,000,000, then the amount
less than allocated to each State for such fiscal year shall be not
available \$400,000, or such greater amount, up to \$600,000, as is
to be allocated if appropriations have been enacted and made
available to carry out parts D and E in the full amounts
authorized by section 5671(a)(1) and (3) of this title
except that the amount allocated to the Virgin Islands of the United
States, Guam, American Samoa, the Trust Territory of the Pacific

Islands, and the Commonwealth of the Northern Mariana Islands shall be not less than \$100,000, or such greater amount, up to \$100,000, as is available to be allocated without reducing the amount of any State or territory's allocation below the amount allocated for fiscal year 1992 each.

(3) If, as a result of paragraph (2), the amount allocated to a State for a fiscal year would be less than the amount allocated to such State for fiscal year 1992, then the amounts allocated to satisfy the requirements of such paragraph shall be reduced pro rata to the extent necessary to allot to such State for the fiscal year the amount allocated to such State for fiscal year 1992.

(b) Reallocation of unobligated funds. If any amount so allocated remains unobligated at the end of the fiscal year, such funds shall be reallocated in a manner equitable and consistent with the purpose of this part. Any amount so reallocated shall be in addition to the amounts already allocated and available to the State, the Virgin Islands, American Samoa, Guam, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands for the same period.

(c) Use of allocated funds for development, etc., of State plans; regulations; limitations; matching requirements. In accordance with State promulgated under this part, a portion of any allotment to any other under this part shall be available to develop a State plan or for that pre-award activities associated with such State plan, and to pay portion of the expenditures which are necessary for efficient time staff administration, including monitoring, evaluation, and one full- of such position. Not more than 10 percent of the total annual allotment amount State shall be available for such purposes, except that any available expended or obligated by such State, or by units of general local such government or any combination thereof, from amounts made or under this subsection shall be matched (in an amount equal to any amount so expended or obligated) by such State, or by such units

State combinations, from State or local funds, as the case may be. The
to shall make available needed funds for planning and administration
the units of general local government or combinations thereof within
State on an equitable basis.

(d) Minimum annual allotment for assistance of advisory group. In
centum of accordance with regulations promulgated under this part, 5 per
be the minimum annual allotment to any State under this part shall
available to assist the advisory group established under section
5633(a)(3) of this title.

42 U.S.C. 5633 Sec. 223. State plans

(a) Requirements. In order to receive formula grants under this
part, a State shall submit a plan for carrying out its purposes
applicable to a 3-year period. Such plan shall be amended annually to include
new programs and challenge activities subsequent to State
participation in part
E. The State shall submit annual performance reports to the
Administrator which shall describe progress in implementing
programs contained in the original plan, and shall describe the status of
compliance with State plan requirements. In accordance with regulations
which the Administrator shall prescribe, such plan shall--

(1) designate the State agency described in section 5671(c)(1)
of this title as the sole agency for supervising the preparation and
administration of the plan;

(2) contain satisfactory evidence that the State agency
designated in accordance with paragraph (1) has or will have authority, by
with legislation if necessary, to implement such plan in conformity
this part;

(3) provide for an advisory group, which--

(A) shall consist of not less than 15 and not more than 33
State-- members appointed by the chief executive officer of the

(i) which members have training, experience, or special
knowledge concerning the prevention and treatment of
justice; juvenile delinquency or the administration of juvenile

(ii) which members include--

general

(I) at least 1 locally elected official representing
purpose local government;

and

(II) representatives of law enforcement and juvenile
justice agencies, including juvenile and family court
judges, prosecutors, counsel for children and youth,
probation workers;

organizations,

and

help

of

(III) representatives of public agencies concerned with
delinquency prevention or treatment, such as welfare,
social services, mental health, education, special
education, recreation, and youth services;

(IV) representatives of private nonprofit

including persons with a special focus on preserving

strengthening families, parent groups and parent self-

groups, youth development, delinquency prevention and
treatment, neglected or dependent children, the quality

juvenile justice, education, and social services for
children;

(V) volunteers who work with delinquents or potential
delinquents;

(VI) youth workers involved with programs that are
alternatives to incarceration, including programs
providing organized recreation activities;

(VII) persons with special experience and competence in
addressing problems related to school violence and
vandalism and alternatives to suspension and expulsion;
and

in

youth

(VIII) persons with special experience and competence

addressing problems related to learning disabilities,
emotional difficulties, child abuse and neglect, and

violence;

chairperson)

local

(iii) a majority of which members (including the

shall not be full-time employees of the Federal, State, or
government;

the age

(iv) at least one-fifth of which members shall be under

of 24 at the time of appointment; and

under (v) at least 3 members who have been or are currently

the jurisdiction of the juvenile justice system;

State's (B) shall participate in the development and review of the

board juvenile justice plan prior to submission to the supervisory

for final action;

not (C) shall be afforded the opportunity to review and comment,

group, on later than 30 days after their submission to the advisory

applications all juvenile justice and delinquency prevention grant

(1); submitted to the State agency designated under paragraph

(D) shall, consistent with this subchapter--

and (i) advise the State agency designated under paragraph (1)

its supervisory board;

legislature of (ii) submit to the chief executive officer and the

State the State at least annually recommendations regarding

activities compliance with the requirements of paragraphs (12), (13),

and (14) and with progress relating to challenge

currently carried out pursuant to part E; and

and (iii) contact and seek regular input from juveniles

under the jurisdiction of the juvenile justice system;

(E) may, consistent with this subchapter--

(i) advise on State supervisory board and local criminal

justice advisory board composition;

funded (ii) review progress and accomplishments of projects

under the State plan.

of units (4) provide for the active consultation with and participation

the of general local government or combinations thereof in the

development of a State plan which adequately takes into account

the needs and requests of local governments, except that nothing in

such plan requirements, or any regulations promulgated to carry out requirements, shall be construed to prohibit or impede the State from making grants to, or entering into contracts with, local private agencies or the advisory group;

(5) unless the provisions of this paragraph are waived at the discretion of the Administrator for any State in which the services for delinquent or other youth are organized primarily on a statewide basis, provide that at least 66 2/3 per centum of funds received by the State under section 5632 of this title, other than funds made available to the State advisory group under section 5632(d) of this title, shall be expended--

(A) through programs of units of general local government or combinations thereof, to the extent such programs are consistent with the State plan;

(B) through programs of local private agencies, to the extent such programs are consistent with the State plan, except that direct funding of any local private agency by a State shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of general local government or combination thereof; and

(C) to provide funds for programs of Indian tribes that perform law enforcement functions (as determined by the Secretary of the Interior) and that agree to attempt to comply with the requirements specified in paragraphs (12)(A), (13), and

(14), applicable to the detention and confinement of juveniles, an amount that bears the same ratio to the aggregate amount to

be expended through programs referred to in subparagraphs (A)

and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the State population under 18 years of age,

general local (6) provide that the chief executive officer of the unit of
or for government shall assign responsibility for the preparation and
local administration of the local government's part of a State plan,
local the supervision of the preparation and administration of the
(hereinafter government's part of the State plan, to that agency within the
provide for government's structure or to a regional planning agency
local in this part referred to as the "local agency") which can most
effectively carry out the purposes of this part and shall
supervision of the programs funded under this part by that
agency;

received (7) provide for an equitable distribution of the assistance
under section 5632 of this title within the State;

juvenile (8)(A) provide for (i) an analysis of juvenile crime problems
geographical (including the joining of gangs that commit crimes) and
functions), a justice and delinquency prevention needs (including educational
of needs) within the relevant jurisdiction (including any
statement of the area in which an Indian tribe performs law enforcement
commit description of the services to be provided, and a description
of performance goals and priorities, including a specific
programs manner in which programs are expected to meet the identified
intended to juvenile crime problems (including the joining of gangs that
juvenile crimes) and juvenile justice and delinquency prevention needs
development jurisdiction; (ii) an indication of the manner in which the
meetings of relate to other similar State or local programs which are
justice and address the same or similar problems; and (iii) a plan for the
concentration of State efforts which shall coordinate all State
delinquency programs with respect to overall policy and
of objectives and priorities for all State juvenile delinquency
programs and activities, including provision for regular
State officials with responsibility in the area of juvenile
delinquency prevention;

(B) contain--

prevention of (i) an analysis of gender-specific services for the and treatment of juvenile delinquency, including the types such services available and the need for such services for females; and

for (ii) a plan for providing needed gender-specific services the prevention and treatment of juvenile delinquency;

(C) contain--

treatment of (i) an analysis of services for the prevention and for juvenile delinquency in rural areas, including the need rural such services, the types of such services available in such areas, and geographically unique barriers to providing services; and

prevention (ii) a plan for providing needed services for the and treatment of juvenile delinquency in rural areas; and

(D) contain--

juveniles (i) an analysis of mental health services available to the in the juvenile justice system (including an assessment of in appropriateness of the particular placements of juveniles to order to receive such services) and of barriers to access such services; and

(ii) a plan for providing needed mental health services to juveniles in the juvenile justice system;

of (9) provide for the active consultation with and participation plan; private agencies in the development and execution of the State existing and provide for coordination and maximum utilization of as juvenile delinquency programs and other related programs, such within education, special education, recreation, health, and welfare the State;

available to the (10) provide that not less than 75 percent of the funds

available
title,
local
used for--

State under section 5632 of this title, other than funds made to the State advisory group under section 5632(d) of this whether expended directly by the State, by the unit of general government, or by a combination thereof, or through grants and contracts with public or private nonprofit agencies, shall be

(A) community-based alternatives (including home-based alternatives) to incarceration and institutionalization, specifically--

home
with
continuum
access

(i) for youth who can remain at home with assistance: probation and programs providing professional supervised group activities or individualized mentoring relationships adults that involve the family and provide counseling and other supportive services;

(ii) for youth who need temporary placement: crisis intervention, shelter, and after-care; and

(iii) for youth who need residential placement: a of foster care or group home alternatives that provide to a comprehensive array of services;

families,
be
their
particularly
with

(B) community-based programs and services to work with--

(i) parents and other family members to strengthen including parent self-help groups, so that juveniles may retained in their homes;

(ii) juveniles during their incarceration, and with their families, to ensure the safe return of such juveniles to homes and to strengthen the families; and

(iii) parents with limited English-speaking ability, in areas where there is a large population of families limited-English speaking ability;

prevention
collaboration

(C) comprehensive juvenile justice and delinquency programs that meet the needs of youth through the of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child

services,
offering

for and
justice

delinquent or
or

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of

school is
school;

training

effectively to

protection agencies, mental health agencies, welfare
health care agencies, and private nonprofit agencies
youth services;

(D) projects designed to develop and implement programs
stressing advocacy activities aimed at improving services
protecting the rights of youth affected by the juvenile
system;

(E) educational programs or supportive services for
other juveniles, provided equitably regardless of sex, race,
family income, designed to--

(i) encourage juveniles to remain in elementary and
schools or in alternative learning situations, including--

(I) education in settings that promote experiential,
individualized learning and exploration of academic and
career options;

(II) assistance in making the transition to the world
work and self-sufficiency;

(III) alternatives to suspension and expulsion; and

(IV) programs to counsel delinquent juveniles and other
juveniles regarding the opportunities that education
provides; and

(ii) enhance coordination with the local schools that such
juveniles would otherwise attend, to ensure that--

(I) the instruction that juveniles receive outside
closely aligned with the instruction provided in
and

(II) information regarding any learning problems
identified in such alternative learning situations are
communicated to the schools;

(F) expanded use of home probation and recruitment and
of home probation officers, other professional and
paraprofessional personnel, and volunteers to work
allow youth to remain at home with their families as an
alternative to incarceration or institutionalization;

youth
assistance
more
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activities
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treatment of
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delinquent
and
and

(G) youth-initiated outreach programs designed to assist
(including youth with limited proficiency in English) who
otherwise would not be reached by traditional youth
programs;

(H) programs designed to develop and implement projects
relating to juvenile delinquency and learning disabilities,
including on-the-job training programs to assist community
services, law enforcement, and juvenile justice personnel to
effectively recognize and provide for learning disabled and
handicapped youth;

(I) projects designed both to deter involvement in illegal
and to promote involvement in lawful activities on the part
gangs whose membership is substantially composed of youth;

(J) programs and projects designed to provide for the
youths' dependence on or abuse of alcohol or other addictive
nonaddictive drugs;

(K) law-related education programs (and projects) for
and at-risk youth designed to prevent juvenile delinquency;

(L) programs for positive youth development that assist
delinquent and other at-risk youth in obtaining--

- (i) a sense of safety and structure;
- (ii) a sense of belonging and membership;
- (iii) a sense of self-worth and social contribution;
- (iv) a sense of independence and control over one's life;
- (v) a sense of closeness in interpersonal relationships;
- (vi) a sense of competence and mastery including health
physical competence, personal and social competence,
cognitive and creative competence, vocational competence,
and citizenship competence, including ethics and
participation;

(M) programs that, in recognition of varying degrees of the
seriousness of delinquent behavior and the corresponding

gradations in the responses of the juvenile justice system
in response to that behavior, are designed to--

(i) encourage courts to develop and implement a continuum
of post- adjudication restraints that bridge the gap between
setting traditional probation and confinement in a correctional
restitution, (including expanded use of probation, mediation,
community service, treatment, home detention, intensive
supervision, electronic monitoring, boot camps and similar
health, programs, and secure community-based treatment facilities
linked to other support services such as health, mental
education (remedial and special), job training, and
recreation); and

(ii) assist in the provision by the provision by the
Administrator of information and technical assistance,
including technology transfer, to States in the design and
utilization of risk assessment mechanisms to aid juvenile
justice personnel in determining appropriate sanctions for
delinquent behavior;

(N) programs designed to prevent and reduce hate crimes
committed by juveniles, including educational programs and
sentencing programs designed specifically for juveniles who
commit hate crimes and that provide alternatives to
incarceration;

and

(O) programs (including referral to literacy programs and
social service programs) to assist families with limited English-
speaking ability that include delinquent juveniles to overcome
language and cultural barriers that may prevent the complete treatment of
such juveniles and the preservation of their families.

(11) provide for the development of an adequate research,
training, and evaluation capacity within the State;

(12)(A) provide within three years after submission of the
initial plan that juveniles who are charged with or who have committed
offenses that would not be criminal if committed by an adult or offenses
(other than an offense that constitutes a violation of a valid court
order or a violation of section 922(x) of Title 18 or a similar State
law), or alien

neglected
secure

juveniles in custody, or such nonoffenders as dependent or children, shall not be placed in secure detention facilities or correctional facilities; and

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(B) provide that the State shall submit annual reports to Administrator containing a review of the progress made by State to achieve the deinstitutionalization of juveniles subparagraph (A) and a review of the progress made by the to provide that such juveniles, if placed in facilities, are facilities which (i) are the least restrictive alternatives to the needs of the child and the community; (ii) are in reasonable proximity to the family and the home communities such juveniles; and (iii) provide the services described in 5603(1) of this title;

delinquent and
detained or
adult
crime or
staff of

(13) provide that juveniles alleged to be or found to be youths within the purview of paragraph (12) shall not be confined in any institution in which they have contact with persons incarcerated because they have been convicted of a are awaiting trial on criminal charges or with the part-time or full-time security staff (including management) or direct-care a jail or lockup for adults;

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(14) provide that no juvenile shall be detained or confined in or lockup for adults, except that the Administrator shall, 1997, promulgate regulations which make exceptions with regard the detention of juveniles accused of non-status offenses who awaiting an initial court appearance pursuant to an enforceable law requiring such appearances within twenty-four hours after taken into custody (excluding weekends and holidays) provided such exceptions are limited to areas that are in compliance paragraph (13) and--

and (A)(i) are outside a Standard Metropolitan Statistical Area;

(ii) have no existing acceptable alternative placement available;

or the (B) are located where conditions of distance to be traveled lack of highway, road, or other ground transportation do not allow for court appearances within 24 hours, so that a brief (not to exceed 48 hours) delay is excusable; or

severely (C) are located where conditions of safety exist (such as adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonably safe travel;

detention (15) provide for an adequate system of monitoring jails, facilities, correctional facilities, and nonsecure facilities to insure that the requirements of paragraph (12)(A), paragraph (13), and paragraph (14) are met, and for annual reporting of the results of such monitoring to the Administrator, except that such reporting requirements shall not apply in the case of a State which is in compliance with the other requirements of this paragraph, which is in compliance with the requirements in paragraph (12)(A) in paragraph (13), and which has enacted legislation which conforms to such requirements and which contains, in the opinion of the Administrator, sufficient enforcement mechanisms to ensure that such legislation will be administered effectively;

system are (16) provide assurance that youth in the juvenile justice and treated equitably on the basis of gender, race, family income, mentally, emotionally, or physically handicapping conditions;

that (17) provide assurance that consideration will be given to and strengthen the assistance will be available for approaches designed to delinquency families of delinquent and other youth to prevent juvenile (which approaches should include the involvement of grandparents or

juvenile
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other extended family members when possible and appropriate and the provision of family counseling during the incarceration of family members and coordination of family services when and feasible);

(18) provide for procedures to be established for protecting of recipients of services and for assuring appropriate privacy regard to records relating to such services provided to any under the State plan;

(19) provide that fair and equitable arrangements shall be made protect the interests of employees affected by assistance under chapter and shall provide for the terms and conditions of such protective arrangements established pursuant to this section, protective arrangements shall, to the maximum extent feasible, include, without being limited to, such provisions as may be necessary for--

(A) the preservation of rights, privileges, and benefits continuation of pension rights and benefits) under existing collective- bargaining agreements or otherwise;

(B) the continuation of collective-bargaining rights;

(C) the protection of individual employees against a their positions with respect to their employment;

(D) assurances of employment to employees of any State or political subdivision thereof who will be affected by any funded in whole or in part under provisions of this chapter;

(E) training or retraining programs;

(20) provide for such fiscal control and fund accounting necessary to assure prudent use, proper disbursement, and accounting of funds received under this subchapter;

(21) provide reasonable assurance that Federal funds made under this part for any period will be so used as to supplement increase (but not supplant) the level of the State, local, and

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programs

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Administrator.

requirements

any

non-Federal funds that would in the absence of such Federal
made available for the programs described in this part, and
event replace such State, local, and other non-Federal funds;
(22) provide that the State agency designated under paragraph
from time to time, but not less often than annually, review its
and submit to the Administrator an analysis and evaluation of
effectiveness of the programs and activities carried out under
plan, and any modifications in the plan, including the survey
and local needs, which it considers necessary;
(23) address efforts to reduce the proportion of juveniles
confined in secure detention facilities, secure correctional
jails, and lockups who are members of minority groups if such
proportion exceeds the proportion such groups represent in the
general population;
(24) contain such other terms and conditions as the
may reasonably prescribe to assure the effectiveness of the
assisted under this subchapter; and
(25) provide an assurance that if the State receives under
of this title for any fiscal year an amount that exceeds 105
the amount the State received under such section for fiscal
all of such excess shall be expended through or for programs
part of a comprehensive and coordinated community system of
services.
(b) Approval by State criminal justice council. The State agency
designated under subsection (a)(1) of this section, after
considering the advice and recommendations of the advisory group
referred to in subsection (a) of this section, shall approve the
and any modification thereof prior to submission to the
(c) Approval by Administrator; compliance with statutory
(1) Subject to paragraph (2), the Administrator shall approve

requirements of State plan and any modification thereof that meets the this section.

(a)(12)(A) of (2) Failure to achieve compliance with the subsection this section requirement within the 3-year time limitation shall terminate any State's eligibility for funding under this part for a fiscal year beginning before January 1, 1993, unless the Administrator determines that the State is in substantial compliance with the requirement, through achievement of deinstitutionalization of not less than 75 percent of such juveniles or through removal of 100 percent of such juveniles from secure correctional facilities, and has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time not exceeding 2 additional years.

subsection (a), (3) If a State fails to comply with the requirements of (12)(A), (13), (14), or (23) of this section in any fiscal year beginning after January 1, 1993--

shall be (A) subject to subparagraph (B), the amount allotted under section 5632 of this title to the State for that fiscal year to reduced by 25 percent for each such paragraph with respect which noncompliance occurs; and

under that (B) the State shall be ineligible to receive any allotment section for such fiscal year unless--

State (i) the State agrees to expend all the remaining funds the receives under this part (excluding funds required to be expended to comply with section 5632(c) and (d) of this title and with subsection (a)(5)(C) of this section) for that fiscal year only to achieve compliance with any such paragraph with respect to which the State is in noncompliance; or

the (ii) the Administrator determines, in the discretion of Administrator, that the State--

(I) has achieved substantial compliance with each such paragraph with respect to which the State was not in

compliance; and

(II) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance within a reasonable time.

(d) Nonsubmission or nonqualification of plan; expenditure of allotted funds; availability of reallocated funds. In the event that any State chooses not to submit a plan, fails to submit a plan, or submits a plan or any modification thereof, which the Administrator, after reasonable notice and opportunity for hearing, in accordance with sections 3783, 3784, and 3785 of this title, determines does not meet the requirements of this section, the Administrator shall endeavor to make that State's allotment under the provisions of section 5632(a) of this title, excluding funds the Administrator shall make available to satisfy the requirement specified in section 222(d) of this title, available to local public and private nonprofit agencies within such State for use in carrying out activities of the kinds described in subsection (a)(12)(A), (13), (14) and (23) of this section. The Administrator shall make funds which remain available after disbursements are made by the Administrator under the preceding sentence, and any other unobligated funds, available on an equitable basis and to those States that have achieved full compliance with the requirements under subsection (a)(12)(A), (13), (14) and (23) of this of this section.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART C--NATIONAL PROGRAMS
SUBPART I--NATIONAL INSTITUTE FOR JUVENILE JUSTICE
AND DELINQUENCY

42 U.S.C. 5651 Sec. 241. Institute structure and operation

(a) Establishment. There is hereby established within the Juvenile Justice and Delinquency Prevention Office a National Institute for Juvenile Justice and Delinquency Prevention.

Delinquency (b) Deputy Administrator as head; Administrator to supervise and direct. The National Institute for Juvenile Justice and Prevention shall be under the supervision and direction of the Administrator.

Justice. The (c) Coordination of activities with National Institute of activities of the National Institute for Juvenile Justice and Delinquency Prevention shall be coordinated with the activities of the National Institute of Justice in accordance with the requirements of section 5611(b) of this title.

Institute to (d) Purpose of Institute. It shall be the purpose of the provide--

treatment, and (1) a coordinating center for the collection, preparation, and dissemination of useful data regarding the prevention, control of juvenile delinquency; and

strengthen and (2) appropriate training (including training designed to maintain the family unit) for representatives of Federal, State, local law enforcement officers, teachers and special education personnel, recreation and park personnel, family counselors, child welfare personnel, workers, juvenile judges and judicial personnel, probation (including prosecutors and defense attorneys, correctional personnel agencies and volunteer lay personnel), persons associated with law-related treatment, education, youth workers, and representatives of private organizations with specific experience in the prevention, and control of juvenile delinquency.

and (e) Additional powers. In addition to the other powers, express implied, the Institute may--

necessary (1) request any Federal agency to supply such statistics, data, program reports, and other material as the Institute deems to carry out its functions;

for the (2) arrange with and reimburse the heads of Federal agencies use of personnel or facilities or equipment of such agencies;

records,
local
(3) confer with and avail itself of the cooperation, services,
and facilities of State, municipal, or other public or private
agencies;

performance of
(4) make grants and enter into contracts with public or private
agencies, organizations, or individuals, for the partial
any functions of the Institute;

United
of Title
may
of subsistence,
(5) compensate consultants and members of technical advisory
councils who are not in the regular full-time employ of the
States, at a rate now or hereafter payable under section 5376
5 and while away from home, or regular place of business, they
be allowed travel expenses, including per diem in lieu
as authorized by section 5703 of Title 5 for persons in the
Government service employed intermittently; and

pursuant
private
of
(6) assist, through training, the advisory groups established
to section 5633(a)(3) of this title or comparable public or
citizen groups in nonparticipating States in the accomplishment
their objectives consistent with this subchapter.

advisory
groups
(f) National conference of member representatives from State

provide
composed
appointed
organization to
(1) The Administrator, acting through the Institute, shall
technical and financial assistance to an eligible organization
of member representatives of the State advisory groups
under section 5633(a)(3) of this title to assist such
carry out the functions specified in paragraph (2).

organization shall
(2) To be eligible to receive such assistance, such
agree to carry out activities that include--

such State
(A) conducting an annual conference of such member
representatives for purposes relating to the activities of
advisory groups;

Institute
(B) disseminating information, data, standards, advanced
techniques, and program models developed through the

and through programs funded under section 5665 of this title;

(C) reviewing Federal policies regarding juvenile justice and delinquency prevention;

(D) advising the Administrator with respect to particular functions or aspects of the work of the Office; and

(E) advising the President and Congress with regard to State perspectives on the operation of the Office and Federal legislation pertaining to juvenile justice and delinquency prevention.

(g) Cooperation of other Federal agencies. Any Federal agency which receives a request from the Institute under subsection (e)(1) of this section may cooperate with the Institute and shall, to the maximum extent practicable, consult with and furnish information and advice to the Institute.

42 U.S.C. 5652 Sec. 242. Information function of Institute

Juvenile The Administrator, acting through the National Institute for Justice and Delinquency Prevention, shall--

relating (1) on a continuing basis, review reports, data, and standards to the juvenile justice system in the United States;

and (2) serve as an information bank by collecting systematically synthesizing the data and knowledge obtained from studies and research by public and private agencies, institutions, or individuals concerning all aspects of juvenile delinquency, including the prevention and treatment of juvenile delinquency; and

juvenile (3) serve as a clearinghouse and information center for the preparation, publication, and dissemination of all information regarding juvenile delinquency, including State and local and delinquency prevention and treatment programs (including drug alcohol programs and gender-specific programs) and plans, availability of resources, training and educational programs, statistics, and other pertinent data and information.

42 U.S.C. 5653 Sec. 243. Research, demonstration, and evaluation functions of Institute

Juvenile (a) The Administrator, acting through the National Institute for
Justice and Delinquency Prevention, is authorized to--

into (1) conduct, encourage, and coordinate research and evaluation
any aspect of juvenile delinquency, particularly with regard to
new programs and methods which seek to strengthen and preserve
families or which show promise of making a contribution toward the
prevention and treatment of juvenile delinquency;

(2) encourage the development of demonstration projects in new,
innovative techniques and methods to prevent and treat juvenile
delinquency;

varying (3) establish or expand programs that, in recognition of
degrees of the seriousness of delinquent behavior and the
corresponding gradations in the responses of the juvenile
justice system in response to that behavior, are designed to--

(i) encourage courts to develop and implement a continuum of
post- adjudication restraints that bridge the gap between
traditional probation and confinement in a correctional
setting
restitution, (including expanded use of probation, mediation,
community service, treatment, home detention, intensive
supervision, electronic monitoring, boot camps and similar
programs, and secure community-based treatment facilities
linked
education to other support services such as health, mental health,
(remedial and special), job training, and recreation); and
(ii) assist in the provision by the Administrator of
information and technical assistance, including technology transfer, to
States in the design and utilization of risk assessment mechanisms
to aid juvenile justice personnel in determining appropriate
sanctions for delinquent behavior;

(4) Encourage the development of programs which, in addition to
helping youth take responsibility for their behavior, take into
consideration life experiences which may have contributed to
their delinquency when developing intervention and treatment
programs;

(5) encourage the development and establishment of programs to

violent
firearms
drug
programs
results and
local
individuals
necessary with
and
the
sexual
of
effectiveness of
remedial
the
race,
the
in
discretionary

enhance the States' ability to identify chronic serious and
juvenile offenders who commit crimes such as rape, murder,
offenses, gang-related crimes, violent felonies, and serious
offenses;

(5) provide for the evaluation of all juvenile delinquency
assisted under this subchapter in order to determine the
the effectiveness of such programs;

**** Two (2) number (5) were enacted

(6) provide for the evaluation of any other Federal, State, or
juvenile delinquency program;

(7) prepare, in cooperation with educational institutions, with
Federal, State, and local agencies, and with appropriate
and private agencies, such studies as it considers to be
respect to the prevention and treatment of juvenile delinquency
the improvement of the juvenile justice system, including--

(A) recommendations designed to promote effective prevention
and treatment, particularly by strengthening and maintaining
family unit;

(B) assessments regarding the role of family violence,
abuse or exploitation, media violence, the improper handling
youth placed in one State by another State, the
family-centered treatment programs, special education,
education, and recreation, and the extent to which youth in
juvenile system are treated differently on the basis of sex,
or family income and the ramifications of such treatment;

(C) examinations of the treatment of juveniles processed in
criminal justice system; and

(D) recommendations as to effective means for deterring [FN1]
involvement in illegal activities or promoting involvement
lawful activities (including the productive use of

gangs
time through organized recreational [FN2] on the part of
whose membership is substantially composed of juveniles;

and
(8) disseminate the results of such evaluations and research
demonstration activities particularly to persons actively
working in
the field of juvenile delinquency;

agencies,
(9) disseminate pertinent data and studies to individuals,
and organizations concerned with the prevention and treatment
of
juvenile delinquency;

with the
(10) develop and support model State legislation consistent
mandates of this subchapter and the standards developed by the
National Advisory Committee for Juvenile Justice and
Delinquency
Prevention before October 12, 1984;

proportion of
(11) support research relating to reducing the excessive
secure
juveniles detained or confined in secure detention facilities,
correctional facilities, jails, and lockups who are members of
minority groups; and

educational,
(12) support independent and collaborative research, research
training, and consultation on social, psychological,
economic, and legal issues affecting children and families;

understanding of
(13) support research related to achieving a better
identify
the commission of hate crimes by juveniles and designed to
educational programs best suited to prevent and reduce the
incidence
of hate crimes committed by juveniles; and

disseminate
(14) routinely collect, analyze, compile, publish, and
uniform national statistics concerning--

system,
(A) all aspects of juveniles as victims and offenders;
neglected, or
(B) the processing and treatment, in the juvenile justice
of juveniles who are status offenders, delinquent,
abused; and

treated
(C) the processing and treatment of such juveniles who are

as adults for purposes of the criminal justice system.

(b) The Administrator shall make available to the public--

(1) the results of evaluations and research and demonstration activities referred to in subsection (a)(8) of this section;

and

(2) the data and studies referred to in subsection (a)(9) of

this section;

that the Administrator is authorized to disseminate under

subsection

(a) of this section.

[FN1] So in original.

[FN2] So in original. Probably should be "recreational activities)".

42 U.S.C. 5654 Sec. 244. Technical assistance and training functions

Juvenile The Administrator, acting through the National Institute for

Justice and Delinquency Prevention is authorized to--

(1) provide technical assistance and training assistance to

Federal,

State, and local governments and to courts, public and private agencies, institutions, and individuals in the planning,

establishment,

funding, operation, and evaluation of juvenile delinquency

programs;

(2) develop, conduct, and provide for training programs for the training of professional, paraprofessional, and volunteer

personnel,

and other persons who are working with or preparing to work

with

juveniles, juvenile offenders (including juveniles who commit

hate

crimes), and their families;

(3) develop, conduct, and provide for seminars, workshops, and training programs in the latest proven effective techniques and methods of preventing and treating juvenile delinquency for law enforcement officers, juvenile judges, prosecutors and defense attorneys, and other court personnel, probation officers,

correctional

personnel, and other Federal, State, and local government

personnel

who are engaged in work relating to juvenile delinquency;

(4) develop technical training teams to aid in the development

of

training programs in the States and to assist State and local

agencies

which work directly with juveniles and juvenile offenders; and

and units (5) provide technical assistance and training to assist States of general local government to adopt the model standards issued under section 5614(b)(7) of this title.

42 U.S.C. 5659 Sec. 245. Training program; establishment; purpose; utilization of State and local facilities, personnel, etc.; enrollees training (a) The Administrator shall establish within the Institute a program designed to train enrollees with respect to methods and techniques for the prevention and treatment of juvenile delinquency, including methods and techniques specifically designed to prevent and reduce the incidence of hate crimes committed by juveniles. In carrying out this program the Administrator is authorized to make use of available State and local services, equipment, personnel, facilities, and the like.

section shall (b) Enrollees in the training program established under this (including be drawn from law enforcement and correctional personnel personnel, volunteer lay personnel), teachers and special education judicial family counselors, child welfare workers, juvenile judges and workers, personnel, persons associated with law-related education, youth specific and representatives of private agencies and organizations with delinquency. experience in the prevention and treatment of juvenile

42 U.S.C. 5660 Sec. 246. Curriculum for training program

shall The Administrator shall design and supervise a curriculum for the prevention of training program established by section 5659 of this title which the utilize an interdisciplinary approach with respect to the curriculum diversion of youths from the juvenile justice system. Such training program shall be appropriate to the needs of the enrollees of the committing and shall include training designed to prevent juveniles from hate crimes.

42 U.S.C. 5661 Sec. 247. Participation in training program and State advisory group

conferences

program
application to
as the
Administrator may prescribe.

shall
any person
training
section
5659(b) of this title.

as a
title or
of this
each
including a per
persons
be paid
to such person for such participation.

42 U.S.C. 5662 Sec. 248. Special studies and reports

(a) Pursuant to 1988 amendments

Administrator
justice
system--

(A) to review--

for
(i) conditions in detention and correctional facilities

juveniles; and

(ii) the extent to which such facilities meet recognized national professional standards; and

(B) to make recommendations to improve conditions in such facilities.

(2)(A) Not later than 1 year after November 18, 1988, the Administrator shall begin to conduct a study to determine--

(i) how juveniles who are American Indians and Alaskan Natives and who are accused of committing offenses on and near Indian reservations and Alaskan Native villages, respectively, are treated under the systems of justice administered by Indian tribes and Alaskan Native organizations, respectively, that perform law enforcement functions;

financial
perform
(ii) the amount of financial resources (including assistance provided by governmental entities) available to Indian tribes and Alaskan Native organizations that law enforcement functions, to support community-based alternatives to incarcerating juveniles; and

comply
(13),
the
(iii) the extent to which such tribes and organizations with the requirements specified in paragraphs (12)(A), and (14) of section 5633(a) of this title, applicable to detention and confinement of juveniles.

contract,
shall be
made for
(B)(i) for purposes of section 450e(b) of Title 25, any subcontract, grant, or subgrant made under paragraph (1) deemed to be a contract, subcontract, grant, or subgrant the benefit of Indians.

and
(ii) for purposes of section 450e(b) of Title 25 and subparagraph (A) of this paragraph, references to Indians Indian organizations shall be deemed to include Alaskan Natives and Alaskan Native organizations, respectively.

Committee
containing
conducted
(3) Not later than 3 years after November 18, 1988, the Administrator shall submit a report to the chairman of the on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate a description, and a summary of the results, of the study

under paragraph (1) or (2), as the case may be.

(b) Pursuant to 1992 amendments

Comptroller (1) Not later than 1 year after November 4, 1992, the General shall--

adult (A) conduct a study with respect to juveniles waived to court that reviews--

(i) the frequency and extent to which juveniles have been transferred, certified, or waived to criminal court for prosecution during the 5-year period ending December 1992;

court; and (ii) conditions of confinement in adult detention and correctional facilities for juveniles waived to adult

adult (iii) sentencing patterns, comparing juveniles waived to court with juveniles who have committed similar offenses but have not been waived; and

of (B) submit to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary the Senate a report (including a compilation of State waiver statutes) on the findings made in the study and recommendations to improve conditions for juveniles waived to adult court.

Comptroller (2) Not later than 1 year after November 4, 1992, the General shall--

for (A) conduct a study with respect to admissions of juveniles behavior disorders to private psychiatric hospitals, and to other residential and nonresidential programs that serve juveniles admitted for behavior disorders, that reviews--

to (i) the frequency with which juveniles have been admitted such hospitals and programs during the 5-year period ending December 1992; and

stay, and (ii) conditions of confinement, the average length of juveniles; methods of payment for the residential care of such and

of (B) submit to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary the Senate a report on the findings made in the study and recommendations to improve procedural protections and conditions for juveniles with behavior disorders admitted to such hospitals and programs.

Comptroller (3) Not later than 1 year after November 4, 1992, the General shall--

justice (A) conduct a study of gender bias within State juvenile systems that reviews--

for (i) the frequency with which females have been detained status offenses (such as frequently running away, truancy, and sexual activity), as compared with the frequency with the which males have been detained for such offenses during 5-year period ending December 1992; and

of (ii) the appropriateness of the placement and conditions confinement for females; and

of (B) submit to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary the Senate a report on the findings made in the study and recommendations to combat gender bias in juvenile justice and provide appropriate services for females who enter the juvenile justice system.

Comptroller (4) Not later than 1 year after November 4, 1992, the General shall--

grant (A) conduct a study of the Native American pass-through program authorized under section 5633(a)(5)(C) of this title that reviews the cost- effectiveness of the funding formula utilized; and

of (B) submit to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary the Senate a report on the findings made in the study and recommendations to improve the Native American pass-through grant program.

Comptroller (5) Not later than 1 year after November 4, 1992, the
General shall--

(A) conduct a study of access to counsel in juvenile court
proceedings that reviews--

juveniles (i) the frequency with which and the extent to which
or in juvenile court proceedings either have waived counsel
have obtained access to counsel during the 5-year period
ending December 1992; and

and (ii) a comparison of access to and the quality of counsel
afforded juveniles charged in adult court proceedings with
those of juveniles charged in juvenile court proceedings;

of (B) submit to Committee on Education and Labor of the House
Senate Representatives and the Committee on the Judiciary of the
recommendations a report on the findings made in the study and
to improve access to counsel for juveniles in juvenile court
proceedings.

against (6)(A) Not later than 180 days after November 4, 1992, the
Administrator shall begin to conduct a study and continue any
pending study of the incidence of violence committed by or
juveniles in urban and rural areas in the United States.

(B) The urban areas shall include--

(i) the District of Columbia;

(ii) Los Angeles, California;

(iii) Milwaukee, Wisconsin;

(iv) Denver, Colorado;

(v) Pittsburgh, Pennsylvania;

(vi) Rochester, New York; and

be (vii) such other cities as the Administrator determines to
appropriate.

(C) At least one rural area shall be included.

the (D) With respect to each urban and rural area included in

study, the objectives of the study shall be--

- of (i) to identify characteristics and patterns of behavior
- of juveniles who are at risk of becoming violent or victims
- of homicide;
- area that (ii) to identify factors particularly indigenous to such
- contribute to violence committed by or against juveniles;
- use of (iii) to determine the accessibility of firearms, and the
- firearms by or against juveniles;
- in (iv) to determine the conditions that cause any increase
- violence committed by or against juveniles;
- and (v) to identify existing and new diversion, prevention,
- control programs to ameliorate such conditions;
- (vi) to improve current systems to prevent and control
- violence by or against juveniles; and
- governments to (vii) to develop a plan to assist State and local
- establish viable ways to reduce homicide committed by or
- against juveniles.

(E) Not later than 3 years after November 4, 1992, the Administrator shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate detailing the results of the study addressing each objective specified in subparagraph (D).

(7)(A) Not later than 1 year after November 4, 1992, the Administrator shall--

- (i) conduct a study described in subparagraph (B); and
- (ii) submit to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate the results of the study.

(B) The study required by subparagraph (A) shall assess--

- (i) the characteristics of juveniles who commit hate crimes,
- including a profile of such juveniles based on--

locality,
 publications
 juveniles,
 such
 result of
 victims and

(I) the motives for committing hate crimes;
 (II) the age, sex, race, ethnicity, education level,
 and family income of such juveniles; and
 (III) whether such juveniles are familiar with
 or organized groups that encourage the commission of
 hate crimes;
 (ii) the characteristics of hate crimes committed by
 including--
 (I) the types of hate crimes committed;
 (II) the frequency with which institutions and natural
 persons, separately determined, were the targets of
 crimes;
 (III) the number of persons who participated with
 juveniles in committing such crimes;
 (IV) the types of law enforcement investigations
 conducted with respect to such crimes;
 (V) the law enforcement proceedings commenced against
 juveniles for committing hate crimes; and
 (VI) the penalties imposed on such juveniles as a
 such proceedings; and
 (iii) the characteristics of the victims of hate crimes
 committed by juveniles, including--
 (I) the age, sex, race, ethnicity, locality of the
 their familiarity with the offender; and
 (II) the motivation behind the attack.

SUBCHAPTER II--PROGRAMS AND OFFICES

PART C--NATIONAL PROGRAMS

SUBPART II--SPECIAL EMPHASIS PREVENTION AND TREATMENT PROGRAMS

42 U.S.C. 5665 Sec. 261. Authority to make grants and contracts

subsection
 and

(a) Purposes of grants and contracts. Except as provided in
 (f) of this section, the Administrator shall, by making grants to

entering into contracts with public and private nonprofit agencies, organizations, institutions, and individuals provide for each of the following during each fiscal year:

(1) Establishing or maintaining community-based alternatives (including home-based treatment programs) to traditional forms of institutionalization of juvenile offenders.

(2) Establishing or implementing effective means of diverting juveniles from the traditional juvenile justice and correctional system, including restitution and reconciliation projects which test and validate selected arbitration models, such as neighborhood courts or panels, and increase victim satisfaction while providing alternatives to incarceration for detained or adjudicated delinquents.

(3) Establishing or supporting advocacy programs and services that encourage the improvement of due process available to juveniles in the juvenile justice system and the quality of legal representation for such juveniles.

(4) Establishing or supporting programs stressing advocacy activities aimed at improving services to juveniles affected by the juvenile justice system, including services that provide for the appointment of special advocates by courts for such juveniles.

(5) Developing or supporting model programs (including self-help programs for parents) to strengthen and maintain the family unit in order to prevent or treat juvenile delinquency, including programs that work with families during the incarceration of juvenile family members and which take into consideration the special needs of families with limited-English speaking ability.

(6) Establishing or implementing special emphasis prevention and treatment programs relating to juveniles who commit serious crimes (including such crimes committed in schools), including programs designed to deter involvement in illegal activities or to promote

involvement in lawful activities on the part of gangs whose membership is substantially composed of juveniles.

(7) Developing or implementing further a coordinated, national law-related education program of--

schools, (A) delinquency prevention in elementary and secondary and other local sites;

of (B) training for persons responsible for the implementation law-related education programs; and

law (C) disseminating information regarding model, innovative, law-related education programs to juvenile delinquency programs, including those that are community based, and to

related to enforcement and criminal justice agencies for activities

the juveniles, that targets juveniles who have had contact with juvenile justice system or who are likely to have contact with the

system.

detained (8) Addressing efforts to reduce the proportion of juveniles

groups if or confined in secure detention facilities, secure correctional facilities, jails, and lockups who are members of minority

the such proportion exceeds the proportion such groups represent in general population.

to (9) Establishing or supporting programs designed to prevent and reduce the incidence of hate crimes by juveniles, including--

the (A) model educational programs that are designed to reduce incidence of hate crimes by means such as--

(i) addressing the specific prejudicial attitude of each offender;

of (ii) developing an awareness in the offender of the effect the hate crime on the victim; and

tolerance (iii) educating the offender about the importance of in our society; and

alternatives to (B) sentencing programs that are designed specifically for juveniles who commit hate crimes and that provide

incarceration.

and
the
into
organizations,
approaches,
(b) Development and implementation of new approaches, techniques, methods. Except as provided in subsection (f) of this section, Administrator is authorized, by making grants to and entering contracts with public and private nonprofit agencies, institutions, and individuals, to develop and implement new techniques, and methods designed to--

juveniles
to help prevent juvenile delinquency;
(1) improve the capability of public and private agencies and organizations to provide services for delinquents and other

of
learning
unwarranted
school
(2) develop and implement, in coordination with the Secretary Education, model programs and methods to keep students in elementary and secondary schools to assist in identifying difficulties (including learning disabilities), to prevent and arbitrary suspensions and expulsions, and to encourage new approaches and techniques with respect to the prevention of violence and vandalism;

organizations,
juveniles;
(3) develop, implement, and support, in conjunction with the Secretary of Labor, other public and private agencies, business, and industry, programs for the employment of

assist
consistent with
(4) develop and support programs designed to encourage and State legislatures to consider and establish policies this subchapter, both by amending State laws, if necessary, and devoting greater resources to effectuate such policies;

delinquency
programs to
and
provide
(5) develop and implement programs relating to juvenile and learning disabilities, including on-the-job training assist law enforcement personnel, community service personnel, juvenile justice personnel to more effectively recognize and for learning-disabled and other handicapped juveniles;

other
financial incentives designed to--
(6) develop statewide programs through the use of subsidies or

(A) remove juveniles from jails and lockups for adults;

the (B) replicate juvenile programs designated as exemplary by
National Institute of Justice; or

the (C) establish and adopt, based upon the recommendations of
National Advisory Committee for Juvenile Justice and
standards Delinquency Prevention made before October 12, 1984,
for the improvement of juvenile justice within each State
involved; and

special (7) develop and implement model programs, relating to the
develop education needs of delinquent and other juveniles, which
juvenile locally coordinated policies and programs among education,
justice, and social service agencies.

with (c) Private nonprofit agencies, organizations, and institutions
of the experience in dealing with juveniles. Not less than 30 percent
be funds available for grants and contracts under this section shall
agencies, available for grants to and contracts with private nonprofit
with organizations, and institutions which have experience in dealing
juveniles.

provided (d) Female, minority, and disadvantaged juveniles. Assistance
deal with under this section shall be available on an equitable basis to
juveniles who female, minority, and disadvantaged juveniles, including
are mentally, emotionally, or physically handicapped.

areas. (e) Special needs and problems of juvenile delinquency in certain
contracts Not less than 5 percent of the funds available for grants and
designed to under this section shall be available for grants, and contracts
the address the special needs and problems of juvenile delinquency in
Trust Virgin Islands of the United States, Guam, American Samoa, the
Northern Territory of the Pacific Islands, and the Commonwealth of the
Mariana Islands.

subsection (a) (f) Department of Justice or related entity as recipient. The Administrator shall not make a grant or a contract under or (b) of this section to the Department of Justice or to any administrative unit or other entity that is part of the Department of Justice.

42 U.S.C. 5665a Sec. 262. Considerations for approval of applications

to receive (a) In general. Any agency, institution, or individual desiring a grant, or enter into a contract, under this part shall submit an application at such time, in such manner, and containing or accompanied by such information as the Administrator may prescribe.

established by (b) Contents of application. In accordance with guidelines the Administrator, each application for assistance under this part shall--

purposes (1) set forth a program for carrying out one or more of the set forth in this part and specifically identify each such purpose such program is designed to carry out;

the (2) provide that such program shall be administered by or under supervision of the applicant;

(3) provide for the proper and efficient administration of such program;

(4) provide for regular evaluation of such program;

agency (5) certify that the applicant has requested the State planning and local agency designated in section 5633 of this title, if any to review and comment on such application and indicate the responses of such State planning agency and local agency to such request;

agency and (6) attach a copy of the responses of such State planning local agency to such request;

to the (7) provide that regular reports on such program shall be sent Administrator and to such State planning agency and local agency; and

procedures as
and
(8) provide for such fiscal control and fund accounting
may be necessary to ensure prudent use, proper disbursement,
accurate accounting of funds received under this subchapter.

(c) Factors considered. In determining whether or not to approve applications for grants and for contracts under this part, the Administrator shall consider--

in
(1) the relative cost and effectiveness of the proposed program
carrying out this part;

(2) the extent to which such program will incorporate new or innovative techniques;

under
meets
(3) if a State plan has been approved by the Administrator
section 5633(c) of this title, the extent to which such program
the objectives and priorities of the State plan, taking into
consideration the location and scope of such program;

address
(4) the increase in capacity of the public and private agency,
institution, or individual involved to provide services to
juvenile delinquency and juvenile delinquency prevention;

have
(5) the extent to which such program serves communities which
high rates of juvenile unemployment, school dropout, and
delinquency; and

population greater
(6) the adverse impact that may result from the restriction of
eligibility, based upon population, for cities with a
than 40,000 located within States which have no city with a
population over 250,000.

(d) Competitive selection process; review of proposed programs;
expedited consideration of proposed programs

contracts
shall be
rule by
Administrator shall
(1)(A) Programs selected for assistance through grants or
under this part (other than section 5651(f) of this title)
selected through a competitive process to be established by
the Administrator. As part of such a process, the
announce in the Federal Register--

(i) the availability of funds for such assistance;

(ii) the general criteria applicable to the selection of
applicants to receive such assistance; and

submitting (iii) a description of the procedures applicable to
and reviewing applications for such assistance.

shall (B) The competitive process described in subparagraph (A)
not be required if the Administrator makes a written
determination waiving the competitive process--

with (i) with respect to programs to be carried out in areas
respect to which the President declares under the Robert
T. Stafford Disaster Relief and Emergency Assistance Act [42
U.S.C.A. s 5121 et seq.] that a major disaster or
emergency exists; or

this part (ii) with respect to a particular program described in
that is uniquely qualified.

contracts (2)(A) Programs selected for assistance through grants or
under this part (other than section 5651(f) of this title)
shall be reviewed before selection, and thereafter as appropriate,
through a formal peer review process utilizing experts (other than
officers and employees of the Department of Justice) in fields related to
the subject matter of the proposed program.

in (B) Such process shall be established by the Administrator
consultation with the Directors and other appropriate
officials of the National Science Foundation and the National Institute
of Mental Health. Before implementation of such process, the
Administrator shall submit such process to such Directors,
each of whom shall prepare and furnish to the chairman of the
Committee on Education and Labor of the House of
Representatives and the chairman of the Committee on the
Judiciary of the Senate a final report containing their
comments on such process as proposed to be established.

under (3) The Administrator, in establishing the processes required
paragraphs (1) and (2), shall provide for emergency expedited
any consideration of the proposed programs if necessary to avoid
delay which would preclude carrying out such programs.

denied (e) City population as basis of denial. A city shall not be assistance under this part solely on the basis of its population.

Notification of (f) Transmission of notification to Committee chairmen. submitted grants and contracts made under this part (and the applications transmitted by for such grants and contracts) shall, upon being made, be and the Administrator, to the chairman of the Committee on Education Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART D--GANG-FREE SCHOOLS AND COMMUNITIES;
COMMUNITY-BASED GANG INTERVENTION
SUBPART I--GANG-FREE SCHOOLS AND COMMUNITIES

42 U.S.C. 5667 Sec. 281. Authority to make grants and contracts

contracts with (a) The Administrator shall make grants to or enter into private public agencies (including local educational agencies) and and nonprofit agencies, organizations, and institutions to establish communities support programs and activities that involve families and and that are designed to carry out any of the following purposes:

the (1) To prevent and to reduce the participation of juveniles in activities of gangs that commit crimes. Such programs and activities may include--

including the (A) individual, peer, family, and group counseling, provision of life skills training and preparation for living independently, which shall include cooperation with social services, welfare, and health care programs;

social (B) education and social services designed to address the would and developmental needs of juveniles which such juveniles otherwise seek to have met through membership in gangs;

families, (C) crisis intervention and counseling to juveniles, who are particularly at risk of gang involvement, and their care, including assistance from social service, welfare, health

mental health, and substance abuse prevention and treatment agencies where necessary;

other (D) the organization of neighborhood and community groups to work closely with parents, schools, law enforcement, and public and private agencies in the community; and

of (E) training and assistance to adults who have significant relationships with juveniles who are or may become members

alternatives gangs, to assist such adults in providing constructive to participating in the activities of gangs.

correctional (2) To develop within the juvenile adjudicatory and systems new and innovative means to address the problems of juveniles convicted of serious drug-related and gang-related offenses.

steering (3) To target elementary school students, with the purpose of students away from gang involvement.

serious (4) To provide treatment to juveniles who are members of such gangs, including members who are accused of committing a crime and members who have been adjudicated as being delinquent.

activities in (5) To promote the involvement of juveniles in lawful geographical areas in which gangs commit crimes.

to (6) To promote and support, with the cooperation of community-based organizations experienced in providing services juveniles engaged in gang- related activities and the cooperation of local law enforcement agencies, the development of policies and activities in public elementary and secondary schools which will assist such schools in maintaining a safe environment conducive to learning.

to (7) To assist juveniles who are or may become members of gangs obtain appropriate educational instruction, in or outside a regular school program, including the provision of counseling and other services to promote and support the continued participation of such juveniles in such instructional programs.

services
controlled
section
health

(8) To expand the availability of prevention and treatment relating to the illegal use of controlled substances and substances analogues (as defined in paragraphs (6) and (32) of 802 of Title 21) by juveniles, provided through State and local and social services agencies.

contact
related

(9) To provide services to prevent juveniles from coming into with the juvenile justice system again as a result of ang-activity.

special

(10) To provide services authorized in this section at a location in a school or housing project.

availability of
available

(11) To support activities to inform juveniles of the treatment and services for which financial assistance is under this subpart.

carry
grants to
nonprofit

(b) From not more than 15 percent of the amount appropriated to out this part in each fiscal year, the Administrator may make and enter into contracts with public agencies and private agencies, organizations, and institutions--

funded

(1) to conduct research on issues related to juvenile gangs;

(2) to evaluate the effectiveness of programs and activities under subsection (a) of this section; and

and

(3) to increase the knowledge of the public (including public private agencies that operate or desire to operate gang prevention and intervention programs) by disseminating information on research and on effective programs and activities funded under this subpart.

42 U.S.C. 5667-1 Sec. 281A. Approval of applications

institution
this subpart
containing

(a) Submission of applications. Any agency, organization, or desiring to receive a grant, or to enter into a contract, under shall submit an application at such time, in such manner, and

such information as the Administrator may prescribe.

established
(a) of
this section shall--

more of the
specifically
to
(1) set forth a program or activity for carrying out one or
purposes specified in section 5667 of this title and
identify each such purpose such program or activity is designed
carry out;

by or
(2) provide that such program or activity shall be administered
under the supervision of the applicant;

(3) provide for the proper and efficient administration of such
program or activity;

(4) provide for regular evaluation of such program or activity;

will
already
(5) provide an assurance that the proposed program or activity
supplement, not supplant, similar programs and activities
available in the community;

parts B or C
III of the
(6) describe how such program or activity is coordinated with
programs, activities, and services available locally under
of this subchapter, and under chapter 1 of subtitle B of title
Anti-Drug Abuse Act of 1988 [42 U.S.C.A. s 11801 et seq.];

agency
(7) certify that the applicant has requested the State planning
to review and comment on such application and summarizes the
responses of such State planning agency to such request;

shall be
and
(8) provide that regular reports on such program or activity
sent to the Administrator and to such State planning agency;

procedures as
and
(9) provide for such fiscal control and fund accounting
may be necessary to ensure prudent use, proper disbursement,
accurate accounting of funds received under this subpart.

under
(c) Priority. In reviewing applications for grants and contracts

priority to section 5667(a) of this title, the Administrator shall give applications--

(1) submitted by, or substantially involving, local educational agencies (as defined in section 2891 of Title 20);

gangs (2) based on the incidence and severity of crimes committed by whose membership is composed primarily of juveniles in the geographical area in which the applicants propose to carry out the programs and activities for which such grants and contracts are requested; and

(3) for assistance for programs and activities that--

(A) are broadly supported by public and private non-profit agencies, organizations, and institutions located in such geographical area; and

(B) will substantially involve the families of juvenile gang members in carrying out such programs or activities.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART D--GANG-FREE SCHOOLS AND COMMUNITIES;
COMMUNITY-BASED GANG INTERVENTION
SUBPART II--COMMUNITY-BASED GANG INTERVENTION

42 U.S.C. 5667a Sec. 282. Authority to make grants and contracts

contracts with (a) The Administrator shall make grants to or enter into public and private nonprofit agencies, organizations, and institutions to carry out programs and activities--

activities of (1) to reduce the participation of juveniles in the illegal gangs;

(2) to develop regional task forces involving State, local, and community- based organizations to coordinate enforcement, intervention, and treatment efforts for juvenile gang members and to curtail interstate activities of gangs; and

(3) to facilitate coordination and cooperation among--

social (A) local education, juvenile justice, employment, and service agencies; and

(B) community-based programs with a proven record of effectively providing intervention services to juvenile gang

members for the purpose of reducing the participation of juveniles in illegal gang activities; and

(4) to support programs that, in recognition of varying degrees of the seriousness of delinquent behavior and the corresponding gradations in the responses of the juvenile justice system in response to that behavior, are designed to--

(A) encourage courts to develop and implement a continuum of post- adjudication restraints that bridge the gap between traditional probation and confinement in a correctional setting, restitution, (including expanded use of probation, mediation, community service, treatment, home detention, intensive supervision, electronic monitoring, boot camps and similar programs, and secure community-based treatment facilities linked to other support services such as health, mental health, education (remedial and special), job training, and recreation); and

(B) assist in the provision by the provision by the Administrator of information and technical assistance, including technology transfer, to States in the design and utilization of risk assessment mechanisms to aid juvenile justice personnel in determining appropriate sanctions for delinquent behavior.

(b) Programs and activities for which grants and contracts are to be made under subsection (a) of this section may include--

(1) developing within the juvenile adjudicatory and correctional systems new and innovative means to address the problems of offenses; juveniles convicted of serious drug-related and gang-related

(2) providing treatment to juveniles who are members of such gangs, including members who are accused of committing a serious crime and members who have been adjudicated as being delinquent;

(3) promoting the involvement of juveniles in lawful activities in geographical areas in which gangs commit crimes;

(4) expanding the availability of prevention and treatment services relating to the illegal use of controlled substances and controlled

section
health
substances analogues (as defined in paragraphs (6) and (32) of 802 of Title 21) by juveniles, provided through State and local and social services agencies;

contact
related
(5) providing services to prevent juveniles from coming into with the juvenile justice system again as a result of gang-activity; or

availability of
available
(6) supporting activities to inform juveniles of the treatment and services for which financial assistance is under this subpart.

42 U.S.C. 5667a-1 Sec. 282A. Approval of applications

institution
this subpart
containing
(a) Submission of applications. Any agency, organization, or desiring to receive a grant, or to enter into a contract, under shall submit an application at such time, in such manner, and such information as the Administrator may prescribe.

established
(a) of
this section shall--
(b) Contents of applications. In accordance with guidelines by the Administrator, each application submitted under subsection

more of the
specifically
to
(1) set forth a program or activity for carrying out one or purposes specified in section 5667a of this title and identify each such purpose such program or activity is designed carry out;

by or
(2) provide that such program or activity shall be administered under the supervision of the applicant;

(3) provide for the proper and efficient administration of such program or activity;

(4) provide for regular evaluation of such program or activity;

will
already
(5) provide an assurance that the proposed program or activity supplement, not supplant, similar programs and activities available in the community;

parts B or C
 III of the
 agency
 shall be
 and
 procedures as
 and
 under
 priority to
 gangs
 the

(6) describe how such program or activity is coordinated with programs, activities, and services available locally under of this subchapter, and under chapter 1 of subtitle B of title Anti-Drug Abuse Act of 1988 [42 U.S.C.A. s 11801 et seq.];

(7) certify that the applicant has requested the State planning to review and comment on such application and summarizes the responses of such State planning agency to such request;

(8) provide that regular reports on such program or activity sent to the Administrator and to such State planning agency;

(9) provide for such fiscal control and fund accounting may be necessary to ensure prudent use, proper disbursement, accurate accounting of funds received under this subpart.

(c) Priority. In reviewing applications for grants and contracts section 5667c(a) of this title, the Administrator shall give applications--

(1) submitted by, or substantially involving, community-based organizations experienced in providing services to juveniles;

(2) based on the incidence and severity of crimes committed by whose membership is composed primarily of juveniles in the geographical area in which the applicants propose to carry out programs and activities for which such grants and contracts are requested; and

(3) for assistance for programs and activities that--

(A) are broadly supported by public and private non-profit agencies, organizations, and institutions located in such geographical area; and

(B) will substantially involve the families of juvenile gang members in carrying out such programs or activities.

SUBCHAPTER II--PROGRAMS AND OFFICES
 PART D--GANG-FREE SCHOOLS AND COMMUNITIES;
 COMMUNITY-BASED GANG INTERVENTION
 SUBPART III--GENERAL PROVISIONS

42 U.S.C. 5667b Sec. 283 Definition

For purposes of this part, the term "juvenile" means an individual who is less than 22 years of age.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART E--STATE CHALLENGE ACTIVITIES

42 U.S.C. 5667c Sec. 285. Establishment of program

(a) In general. The Administrator may make a grant to a State that receives an allocation under section 5632 of this title, in the amount of 10 percent of the amount of the allocation, for each challenge activity in which the State participates for the purpose of funding the activity.

(b) Definitions. For purposes of this part--

(1) the term "case review system" means a procedure for ensuring that--

(A) each youth has a case plan, based on the use of objective criteria for determining a youth's danger to the community or himself or herself, that is designed to achieve appropriate placement in the least restrictive and most family-like setting available in close proximity to the parents' home, consistent with the best interests and special needs of the youth;

(B) the status of each youth is reviewed periodically but not less frequently than once every 3 months, by a court or by administrative review, in order to determine the continuing necessity for and appropriateness of the placement;

(C) with respect to each youth, procedural safeguards will be applied to ensure that a dispositional hearing is held to consider the future status of each youth under State supervision, in a juvenile or family court or another court (including a tribal court) of competent jurisdiction, or by an administrative body appointed or approved by the court, not later than 12 months after the

during original placement of the youth and periodically thereafter
the continuation of out-of-home placement; and
(D) a youth's health, mental health, and education record is reviewed and updated periodically; and

for 1 of (2) the term "challenge activity" means a program maintained
the following purposes:

services, (A) Developing and adopting policies and programs to provide
basic health, mental health, and appropriate education
justice including special education, for youth in the juvenile
system as specified in standards developed by the National
Advisory Committee for Juvenile Justice and Delinquency
Prevention prior to October 12, 1984.

ensure (B) Developing and adopting policies and programs to provide
access to counsel for all juveniles in the justice system to
to that juveniles consult with counsel before waiving the right
counsel.

by (C) Increasing community-based alternatives to incarceration
establishing programs (such as expanded use of probation,
mediation, restitution, community service, treatment, home
detention, intensive supervision, and electronic monitoring)

and developing and adopting a set of objective criteria for the
appropriate placement of juveniles in detention and secure
confinement.

offenders by (D) Developing and adopting policies and programs to provide
secure settings for the placement of violent juvenile
with closing down traditional training schools and replacing them
juvenile secure settings with capacities of no more than 50 violent
offenders with ratios of staff to youth great enough to
ensure adequate supervision and treatment.

in (E) Developing and adopting policies to prohibit gender bias
placement and treatment and establishing programs to ensure
that female youth have access to the full range of health and
mental health services, treatment for physical or sexual assault
and

education abuse, self defense instruction, education in parenting, in general, and other training and vocational services.

contract or (F) Establishing and operating, either directly or by private arrangement with a public agency or other appropriate nonprofit organization (other than an agency or organization that is responsible for licensing or certifying out-of-home care services for youth), a State ombudsman office for children, youth, and families to investigate and resolve complaints relating to action, inaction, or decisions of providers of out-of-home care to children and youth (including secure detention and correctional facilities, residential care facilities, public agencies, and social service agencies) that may adversely affect the health, safety, welfare, or rights of resident children and youth.

to (G) Developing and adopting policies and programs designed jurisdiction remove, where appropriate, status offenders from the detention of the juvenile court to prevent the placement in secure facilities or secure correctional facilities of juveniles who are nonoffenders or who are charged with or who have committed offenses that would not be criminal if committed by an adult.

to (H) Developing and adopting policies and programs designed school. serve as alternatives to suspension and expulsion from

the (I) Increasing aftercare services for juveniles involved in justice system by establishing programs and developing and adopting policies to provide comprehensive health, mental health, education, and vocational services and services that preserve and strengthen the families of such juveniles.

(J) Developing and adopting policies to establish--

and (i) a State administrative structure to coordinate program behavioral fiscal policies for children who have emotional and problems and their families among the major child serving

services, systems, including schools, social services, health
and mental health services, and the juvenile justice system;

(ii) a statewide case review system.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART F--TREATMENT FOR JUVENILE OFFENDERS WHO ARE
VICTIMS OF CHILD ABUSE OR NEGLECT

42 U.S.C. 5667d Sec. 287. Definition

who is For the purposes of this part, the term "juvenile" means a person
less than 18 years of age.

42 U.S.C. 5667d-1 Sec. 287A. Authority to make grants

and The Administrator, in consultation with the Secretary of Health
Human Services, shall make grants to public and nonprofit private
organizations to develop, establish, and support projects that--

child (1) provide treatment to juvenile offenders who are victims of
likelihood abuse or neglect and to their families so as to reduce the
of law; that the juvenile offenders will commit subsequent violations

receive (2) based on the best interests of juvenile offenders who
services treatment for child abuse or neglect, provide transitional
juvenile (including individual, group, and family counseling) to
offenders--

with their (A) to strengthen the relationships of juvenile offenders
problems families and encourage the resolution of intrafamily
related to the abuse or neglect;

(B) to facilitate their alternative placement; and

(C) to prepare juveniles aged 16 years and older to live
independently; and

transitional (3) carry out research (including surveys of existing
services, identification of exemplary treatment modalities, and

with grants evaluation of treatment and transitional services) provided
made under this section.

42 U.S.C. 5667d-2 Sec. 287B. Administrative requirements

requirements The Administrator shall administer this part subject to the
of sections 5665a, 5673, and 5676 of this title.

42 U.S.C. 5667d-3 Sec. 287C. Priority

Administrator-- In making grants under section 5667d-1 of this title, the

treating (1) shall give priority to applicants that have experience in
juveniles who are victims of child abuse or neglect; and
applicant (2) may not disapprove an application solely because the
proposes to provide treatment or transitional services to
juveniles who are adjudicated to be delinquent for having committed offenses
that are not serious crimes.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART G--MENTORING

42 U.S.C. 5667e Sec. 288 Purposes

The purposes of this part are--
(1) to reduce juvenile delinquency and gang participation;
(2) to improve academic performance; and
(3) to reduce the dropout rate, through the use of mentors for
at-risk youth.

42 U.S.C. 5667e-1 Sec. 288A. Definitions

For purposes of this part--
(1) the term "at-risk youth" means a youth at risk of
educational failure or dropping out of school or involvement in delinquent
activities; and
(2) the term "mentor" means a person who works with an at-risk
youth on a one-to-one basis, establishing a supportive
relationship

and with the youth and providing the youth with academic assistance
exposure to new experiences that enhance the youth's ability to
become a responsible citizen.

42 U.S.C. 5667e-2 Sec. 288B. Grants

The Administrator shall, by making grants to and entering into
contracts with local educational agencies (each of which agency shall be in
partnership with a public or private agency, institution, or
business), establish and support programs and activities for the purpose of
implementing mentoring programs that--

(1) are designed to link at-risk children, particularly
children living in high crime areas and children experiencing educational failure,
with responsible adults such as law enforcement officers, persons
working with local businesses, and adults working for community-based
organizations and agencies; and

(2) are intended to achieve 1 or more of the following goals:

(A) Provide general guidance to at-risk youth.
(B) Promote personal and social responsibility among at-risk
youth.
(C) Increase at-risk youth's participation in and enhance
their ability to benefit from elementary and secondary education.
(D) Discourage at-risk youth's use of illegal drugs,
violence, and dangerous weapons, and other criminal activity.
(E) Discourage involvement of at-risk youth in gangs.
(F) Encourage at-risk youth's participation in community
service and community activities.

42 U.S.C. 5667e-3 Sec. 288C. Regulations and guidelines

(a) Program guidelines. The administrator shall issue program
guidelines to implement this part. The program guidelines shall be
effective only after a period for public notice and comment.

(b) Model screening guidelines. The administrator shall develop
and distribute to program participants specific model guidelines for
the

screening of prospective program mentors.

42 U.S.C. 5667e-4 Sec. 288D. Use of grants

be used to (a) Permitted uses. Grants awarded pursuant to this part shall
implement mentoring programs, including--

- expenditures (1) hiring of mentoring coordinators and support staff;
mentoring; (2) recruitment, screening, and training of adult mentors;
 (3) reimbursement of mentors for reasonable incidental
 such as transportation that are directly associated with
 and
 (4) such other purposes as the Administrator may reasonably
 prescribe by regulation.

not be (b) Prohibited uses. Grants awarded pursuant to this part shall
used--

- to (1) to directly compensate mentors, except as provided pursuant
 subsection (a)(3) of this section;
would (2) to obtain educational or other materials or equipment that
operations; otherwise be used in the ordinary course of the grantee's
 (3) to support litigation of any kind; or
Administrator (4) for any other purpose reasonably prohibited by the
 by regulation.

42 U.S.C. 5667e-5 Sec. 288E. Priority

Administrator shall (a) In general. In making grants under this part, the
give priority for awarding grants to applicants that--

- funds (1) serve at-risk youth in high crime areas;
of (2) have 60 percent or more of their youth eligible to receive
 under chapter 1 of the Elementary and Secondary Education Act
 1965 [20 U.S.C.A. s 2701-2901]; and
each (3) have a considerable number of youth who drop out of school
 year.

(b) Other considerations. In making grants under this part, the Administrator shall give consideration to--

- applications;
- (1) the geographic distribution (urban and rural) of
 - (2) the quality of a mentoring plan, including--
 - (A) the resources, if any, that will be dedicated to participating youth with opportunities for job training or postsecondary education; and
 - (B) the degree to which parents, teachers, community-based organizations, and the local community participate in the design and implementation of the mentoring plan; and
 - (3) the capability of the applicant to effectively implement the mentoring plan.

42 U.S.C. 5667e-6 Sec. 288F. Applications

An application for assistance under this part shall include--

- program;
- (1) information on the youth expected to be served by the
 - (2) a provision for a mechanism for matching youth with mentors based on the needs of the youth;
 - (3) an assurance that no mentor will be assigned to more than one youth, so as to ensure a one-to-one relationship;
 - (4) an assurance that projects operated in secondary schools will provide youth with a variety of experiences and support, including--
 - (A) an opportunity to spend time in a work environment and, when possible, participate in the work environment;
 - (B) an opportunity to witness the job skills that will be required for youth to obtain employment upon graduation;
 - (C) assistance with homework assignments; and
 - (D) exposure to experiences that youth might not otherwise encounter;
 - (5) an assurance that projects operated in elementary schools will provide youth with--

might

(A) academic assistance;

(B) exposure to new experiences and activities that youth not encounter on their own; and

(C) emotional support;

each

(6) an assurance that projects will be monitored to ensure that youth benefits from a mentor relationship, with provision for a new mentor assignment if the relationship is not beneficial to the youth;

the

(7) the method by which mentors and youth will be recruited to project;

and

(8) the method by which prospective mentors will be screened;

(9) the training that will be provided to mentors.

42 U.S.C. 5667e-7 Sec 288G. Grant cycles

Grants under this part shall be made for 3-year periods.

42 U.S.C. 5667e-8 Sec. 288H. Reports

of grants

Not later than 120 days after the completion of the first cycle

report

under this part, the Administrator shall submit to Congress a

reducing

regarding the success and effectiveness of the grant program in

juvenile delinquency and gang participation, improving academic performance, and reducing the dropout rate.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART H--BOOT CAMPS

42 U.S.C. 5667f Sec. 289. Establishment of program

appropriate

(a) In general. The Administrator may make grants to the

to 10

agencies of 1 or more States for the purpose of establishing up

as 'boot

military-style boot camps for juvenile delinquents (referred to

camps').

(b) Location

military
more
such sites,
appropriate, and

(1) The boot camps shall be located on existing or closed installations on sites to be chosen by the agencies in one or States, or in other facilities designated by the agencies on after consultation with the Secretary of Defense, if the Administrator.

geographic
into

(2) The Administrator shall--

(A) try to achieve to the extent possible equitable distribution in approving boot camp sites; and

(B) give priority to grants where more than one State enters formal cooperative arrangements to jointly administer a boot camp; and

training,
training;

(c) Regimen. The boot camps shall provide--

(1) a highly regimented schedule of discipline, physical work, drill, and ceremony characteristic of military basic

(2) regular, remedial, special, and vocational education; and

(3) counseling and treatment for substance abuse and other health and mental health problems.

42 U.S.C. 5667f-1 Sec. 289A. Capacity

250

Each boot camp shall be designed to accommodate between 150 and juveniles for such time as the grant recipient agency deems to be appropriate.

42 U.S.C. 5667f-2 Sec. 289B. Eligibility and placement

boot camp

(a) Eligibility. A person shall be eligible for assignment to a if he or she--

of

(1) is considered to be a juvenile under the laws of the State jurisdiction; and

jurisdiction
camp

(2) has been adjudicated to be delinquent in the State of or, upon approval of the court, voluntarily agrees to the boot assignment without a delinquency adjudication.

(b) Placement. Prior to being placed in a boot camp, an assessment of a juvenile shall be performed to determine that--

(1) the boot camp is the least restrictive environment that is appropriate for the juvenile considering the seriousness of the juvenile's delinquent behavior and the juvenile's treatment need; and

(2) the juvenile is physically and emotionally capable of participating in the boot camp regimen.

42 U.S.C. 5667f-3 Sec. 289C. Post-release supervision

A State that seeks to establish a boot camp, or participate in the joint administration of a boot camp, shall submit to the Administrator a plan describing--

(1) the provisions that the State will make for the continued supervision of juveniles following release; and

(2) provisions for educational and vocational training, drug or other counseling and treatment, and other support services.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART I--WHITE HOUSE CONFERENCE ON JUVENILE JUSTICE

42 U.S.C. 5667g Sec. 291. National White House Conference on Juvenile Justice

(a) In general. The President may call and conduct a National White House Conference on Juvenile Justice (referred to as the "Conference") in accordance with this part.

(b) Purposes of conference. The purposes of the Conference shall be--

(1) to increase public awareness of the problems of juvenile offenders and the juvenile justice system;

(2) to examine the status of minors currently in the juvenile and adult justice systems;

(3) to examine the increasing number of violent crimes committed by juveniles;

(4) to examine the growing phenomena of youth gangs, including the

number of young women who are involved;

related to (5) to assemble persons involved in policies and programs
enforcement; juvenile delinquency prevention and juvenile justice

diverse (6) to examine the need for improving services for girls in the
of juvenile justice system;

prevention (7) to create a forum in which persons and organizations from
regions may share information regarding successes and failures
policy in their juvenile justice and juvenile delinquency
programs; and

for (8) to develop such specific and comprehensive recommendations
executive and legislative action as may be appropriate to
address the problems of juvenile delinquency and juvenile justice.

shall be (c) Schedule of conferences. The Conference under this part
concluded not later than 18 months after November 4, 1992.

(d) Prior State and regional conferences

interested (1) In general. Participants in the Conference and other
persons and organizations may conduct conferences and other
activities at the State and regional levels prior to the date
of the Conference, subject to the approval of the executive director
of the Conference.

regional (2) Purpose of State and regional conferences. State and
consideration conferences and activities shall be directed toward the
delegates to of the purposes of this part. State conferences shall elect
the National Conferences.

juvenile (3) Admittance. No person involved in administering State
juvenile justice programs or in providing services to or advocacy of
conference. offenders may be denied admission to a State or regional

concerned
juvenile
National
conferences.

(a) In general. The Conference shall bring together persons with issues and programs, both public and private, relating to justice, and juvenile delinquency prevention.

(b) Selection

(1) State conferences. Delegates, including alternates, to the Conference shall be elected by participants at the State

(2) Delegates

(1)--

(A) In addition to delegates elected pursuant to paragraph

(i) each Governor may appoint 1 delegate and 1 alternate;

(ii) the majority leader of the Senate, in consultation with the minority leader, may appoint 10 delegates and 3 alternates;

(iii) the Speaker of the House of Representatives, in consultation with the minority leader, may appoint 10 delegates and 3 alternates;

(iv) the President may appoint 20 delegates and 5 alternates;

(v) the chief law enforcement official and the chief juvenile corrections official of each State may appoint 1 delegate and 1 alternate each; and

(vi) the Chairperson of the Juvenile Justice and Delinquency Prevention Advisory Committee of each State, or his or her designate, may appoint 1 delegate.

(B) Only persons involved in administering State juvenile justice programs or in providing services to or advocacy of juvenile offenders shall be eligible for appointment as a delegate.

(c) Participant expenses. Each participant in the Conference shall be responsible for his or her expenses related to attending the Conference and shall not be reimbursed from funds appropriated pursuant to this chapter.

(d) No fees. No fee may be imposed on a person who attends a

Conference except a registration fee of not to exceed \$10.

42 U.S.C. 5667g-2 Sec. 291B. Staff and executive branch

executive
Justice and
President
Title 5,
regard to
that Title
staff of the

(a) In general. The President may appoint and compensate an director of the National White House Conference on Juvenile such other directors and personnel for the Conference as the may deem to be advisable, without regard to the provisions of governing appointments in the competitive service, and without the provisions of chapter 51 and subchapter III of chapter 53 of relating to classification and General Schedule pay rates. The Conference may not exceed 20, including the executive director.

of the
with
Conference

(b) Detailees. Upon request by the executive director, the heads executive and military departments may detail employees to work the executive director in planning and administering the without regard to section 3341 of Title 5.

42 U.S.C. 5667g-3 Sec. 291C. Planning and administration of conference

and
may be
Conference.

(a) Federal agency support. All Federal departments, agencies, instrumentalities shall provide such support and assistance as necessary to facilitate the planning and administration of the

the
Justice--

(b) Duties of the executive director. In carrying out this part, executive director of the White House Conference on Juvenile

regional

(1) shall provide such assistance as may be necessary for the organization and conduct of conferences at the State and levels authorized by section 5667g(d) of this title;

private
in

(2) may enter into contracts and agreements with public and agencies and organizations and academic institutions to assist carrying out this part; and

(3) shall prepare and provide background materials for use by participants in the Conference and by participants in State and regional conferences.

42 U.S.C. 5667g-4 Sec. 291D. Reports

a
shall
National Conference is convened, a final report of the Conference
be submitted to the President and the Congress.

section--
(b) Contents. A report described in subsection (a) of this

Conference
the
(1) shall include the findings and recommendations of the
and proposals for any legislative action necessary to implement
recommendations of the Conference; and

(2) shall be made available to the public.

42 U.S.C. 5667g-5 Sec. 291E. Oversight

the
The Administrator shall report to the Congress annually during
3-year period following the submission of the final report of a
Conference on the status and implementation of the findings and
recommendations of the Conference.

SUBCHAPTER II--PROGRAMS AND OFFICES
PART I--GENERAL AND ADMINISTRATIVE PROVISIONS

42 U.S.C. 5671 Sec. 299. Authorization of appropriations

(a) Amounts; availability of funds

parts D,
Funds
obligation
(1) To carry out the purposes of this subchapter (other than
E, F, G, H, and I) there are authorized to be appropriated
\$150,000,000 for fiscal years 1993, 1994, 1995, and 1996.

appropriated for any fiscal year shall remain available for
until expended.

are
(2)(A) Subject to subparagraph (B), to carry out part D, there
authorized to be appropriated--

1993
1995,
(i) to carry out subpart 1, \$25,000,000 for fiscal year
and such sums as are necessary for fiscal years 1994,
and 1996; and

1993
(ii) to carry out subpart 2, \$25,000,000 for fiscal year

1995, and such sums as are necessary for fiscal years 1994, and 1996.

G, (B) No funds may be appropriated to carry out part D, E, F, or I of this subchapter or subchapter V or VI of this chapter for a fiscal year unless the aggregate amount appropriated to carry out this subchapter (other than part D, E, F, G, or I of this subchapter or subchapter V or VI of this chapter) for the preceding fiscal year is not less than the aggregate amount appropriated to carry out this subchapter (other than part D, E, F, G, or I of subchapter or subchapter V or VI of this chapter) for the preceding fiscal year.

appropriated (3) To carry out part E, there are authorized to be \$50,000,000 for fiscal year 1993 and such sums as are necessary for each of the fiscal years 1994, 1995, and 1996.

(4)(A) Subject to subparagraph (B), there are authorized to be appropriated to carry out part F--

1995, (i) \$15,000,000 for fiscal year 1993; and (ii) such sums as are necessary for fiscal years 1994, and 1996.

year (B) No amount is authorized to be appropriated for a fiscal year to carry out part F unless the aggregate amount appropriated to carry out this subchapter for that fiscal year is not less than the aggregate amount appropriated to carry out this subchapter for the preceding fiscal year.

fiscal (C) From the amount appropriated to carry out part F in a year, the Administrator shall use--

and (i) not less than 85 percent to make grants for treatment transitional services;

and (ii) not to exceed 10 percent for grants for research;

the
related
(iii) not to exceed 5 percent for salaries and expenses of
Office of Juvenile Justice and Delinquency Prevention
to administering part F.

fiscal
(5) (A) Subject to subparagraph (B), there are authorized to be
appropriated to carry out part G such sums as are necessary for
years 1993, 1994, 1995, and 1996.

part H
available
(6)(A) There are authorized to be appropriated to carry out
such sums as are necessary for fiscal year 1993, to remain
until expended, of which--

1
base
(i) not more than \$12,500,000 shall be used to convert any
closed military base or to modify any 1 existing military
or other designated facility to a boot camp; and

1
(ii) not more than \$2,500,000 shall be used to operate any
boot camp during a fiscal year.

year
to
fiscal year
appropriated
(B) No amount is authorized to be appropriated for a fiscal
to carry out part H unless the aggregate amount appropriated
carry out parts A, B, and C of this subchapter for that
is not less than 120 percent of the aggregate amount
to carry out those parts for fiscal year 1992.

expended.
(7)(A) There are authorized to be appropriated such sums as are
necessary for each National Conference and associated State and
regional conferences under part I, to remain available until

contracts
such
(B) New spending authority or authority to enter into
under part I shall be effective only to such extent and in
amounts as are provided in advance in appropriation Acts.

made
(C) No funds appropriated to carry out this chapter shall be
available to carry out part I other than funds appropriated
specifically for the purpose of conducting the Conference.

to the
(D) Any funds remaining unexpended at the termination of the
Conference under part I, including submission of the report
pursuant to section 5667g-4 of this title, shall be returned

Treasury of the United States and credited as miscellaneous receipts.

(b) Percentages available for programs. Of such sums as are appropriated to carry out the purposes of this subchapter (other

than part

D)--

(1) not to exceed 5 percent shall be available to carry out part A;

(2) not less than 70 percent shall be available to carry out part B; and

(3) 25 percent shall be available to carry out part C.

(c) Approval of State agency and establishment of supervisory board.

Notwithstanding any other provision of law, the Administrator shall--

(1) establish appropriate administrative and supervisory board membership requirements for a State agency responsible for supervising the preparation and administration of the State plan

submitted under section 5633 of this title and permit the State advisory group appointed under section 5633(a)(3) of this title to

operate as the supervisory board for such agency, at the discretion of the Governor; and

(2) approve any appropriate State agency designated by the Governor of the State involved in accordance with paragraph (1).

(d) Experimentation on individuals; prohibition; "behavior control"

defined. No funds appropriated to carry out the purposes of this subchapter may be used for any bio-medical or behavior control experimentation on individuals or any research involving such experimentation. For the purpose of this subsection, the term

"behavior control" refers to experimentation or research employing methods which

involve a substantial risk of physical or psychological harm to the individual subject and which are intended to modify or alter

criminal and other anti-social behavior, including aversive conditioning therapy, drug

care), physical therapy of mental disorders, electroconvulsive therapy,

or physical punishment. The term does not apply to a limited class

of

including programs generally recognized as involving no such risk,
survival methadone maintenance and certain alcohol treatment programs,
are psychological counseling, parent training, behavior contracting,
parents or skills training, restitution, or community service, if safeguards
are established for the informed consent of subjects (including
guardians of minors).

such (e) Reservation of monies for previously unfunded programs. Of
title, not sums as are appropriated to carry out section 5665(a)(6) of this
each of less than 20 percent shall be reserved by the Administrator for
programs fiscal years 1993, 1994, 1995, and 1996, for not less than 2
October that have not received funds under subpart II of part C prior to
approval 1, 1992, which shall be selected through the application and
process set forth in section 5665a of this title.

42 U.S.C. 5672 Sec. 299A. Administrative authority

by the (a) Authority of Administrator. The Office shall be administered
General. Administrator under the general authority of the Attorney

3789d(c), (b) Certain crime control provisions applicable. Sections
this 3789f(a), 3789f(b), 3789f(c), 3789g(a), 3789g(b), and 3789g(d) of
compliance with title shall apply with respect to the administration of and
this chapter, except that for purposes of this chapter--

sections (1) any reference to the Office of Justice Programs in such
General shall be deemed to be a reference to the Assistant Attorney
who heads the Office of Justice Programs; and

shall be (2) the term "this chapter" as it appears in such sections
deemed to be a reference to this chapter.

3782(a), (c) Certain other crime control provisions applicable. Sections
for 3782(c), and 3789a of this title shall apply with respect to the
administration of and compliance with this chapter, except that
purposes of this chapter--

Attorney
of the
Justice
shall be

(1) any reference to the Attorney General, the Assistant General who heads the Office of Justice Programs, the Director National Institute of Justice, the Director of the Bureau of Statistics, or the Director of the Bureau of Justice Assistance deemed to be a reference to the Administrator;

of

Bureau of

Office of

shall be

(2) any reference to the Office of Justice Programs, the Bureau Justice Assistance, the National Institute of Justice, or the Justice Statistics shall be deemed to be a reference to the Juvenile Justice and Delinquency Prevention; and

(3) the term "this chapter" as it appears in such sections deemed to be a reference to this chapter.

authorized,
units of
procedures as
as are

(d) Rules, regulations, and procedures. The Administrator is after appropriate consultation with representatives of States and local government, to establish such rules, regulations, and are necessary for the exercise of the functions of the Office and consistent with the purpose of this chapter.

42 U.S.C. 5673 Sec. 299B. Withholding

under this

Whenever the Administrator, after giving reasonable notice and opportunity for hearing to a recipient of financial assistance subchapter, finds that--

involved

this

(1) the program or activity for which the grant or contract was made has been so changed that it no longer complies with subchapter; or

failure to

(2) in the operation of such program or activity there is comply substantially with any provision of this subchapter;

appropriate.

the Administrator shall initiate such proceedings as are

42 U.S.C. 5674 Sec. 299C. Use of funds

public or

(a) In general. Funds paid pursuant to this subchapter to any

private agency, organization, or institution, or to any individual (either directly or through a State planning agency) may be used for--

carry (1) planning, developing, or operating the program designed to out this subchapter; and

of any (2) not more than 50 per centum of the cost of the construction innovative community-based facility for fewer than 20 persons which,

in the judgment of the Administrator, is necessary to carry out this subchapter.

provided (b) Prohibition against use of funds in construction. Except as private in subsection (a) of this section, no funds paid to any public or agency, or institution or to any individual under this subchapter (either directly or through a State agency or local agency) may be used for construction.

this (c) Funds paid pursuant to sections 5633(a)(10) and 5665(a)(3) of title--

and (1) Funds paid pursuant to section 5633(a)(10)(D) of this title agency, section 5665(a)(3) of this title to any public or private used to organization, or institution or to any individual shall not be telephone pay for any personal service, advertisement, telegram, device communication, letter, printed or written matter, or other intended or designed to influence a Member of Congress or any other Federal, State, or local elected official to favor or oppose any Acts, bills, resolutions, or similar legislation, or any referendum, initiative, constitutional amendment, or any similar procedure of the Congress, any State legislature, any local council, or any similar governing body, except that this paragraph shall not preclude such funds from being used in connection with communications to Federal, State, or local elected officials, upon the request of such officials through

proper official channels, pertaining to authorization,
appropriation, or oversight measures directly affecting the operation of the
program involved.

(2) The Administrator shall take such action as may be
necessary to ensure that no funds paid under section 5633(a)(10)(D) of this
title or section 5671(a)(3) of this title are used either directly or
indirectly in any manner prohibited in this paragraph.

42 U.S.C. 5675 Sec. 299D. Payments

(a) In general. Payments under this subchapter, pursuant to a
grant or contract, may be made (after necessary adjustment, in the case of
grants, on account of previously made overpayments or underpayments) in
advance or by way of reimbursement, in such installments and on
such conditions as the Administrator may determine.

(b) Percentage of approved costs. Except as provided in the
second sentence of section 5632(c) of this title, financial assistance
extended under this subchapter shall be 100 per centum of the approved
costs of the program or activity involved.

(c) Increase of grants to Indian tribes; waiver of liability--
tribe, if (1) In the case of a grant under this subchapter to an Indian
sufficient the Administrator determines that the tribe does not have
program or funds available to meet the local share of the cost of any
increase activity to be funded under the grant, the Administrator may
Administrator the Federal share of the cost thereof to the extent the
deems necessary.

(2) If a State does not have an adequate forum to enforce grant
Administrator provisions imposing any liability on Indian tribes, the
tribes and may waive State liability attributable to the liability of such
may pursue such legal remedies as are necessary.

(d) Reallocation of unrequired or statutorily available funds.
If the

Administrator determines, on the basis of information available to the Administrator during any fiscal year, that a portion of the funds granted to an applicant under part C of this subchapter for such fiscal year will not be required by the applicant or will become available by virtue of the application of the provisions of section 3783 of this title, as amended from time to time, that portion shall be available for reallocation in an equitable manner to States which comply with the requirements in paragraphs (12)(A) and (13) of section 5633(a) of this title, under section 5665(b)(6) of this title.

42 U.S.C. 5676 Sec. 299E. Confidentiality of program records

Except as authorized by law, program records containing the identity of individual juveniles gathered for purposes pursuant to this subchapter

may not be disclosed without the consent of the service recipient or legally authorized representative, or as may be necessary to carry out this subchapter. Under no circumstances may program reports or findings available for public dissemination contain the actual names of individual service recipients.

SUBCHAPTER III--RUNAWAY AND HOMELESS YOUTH

42 U.S.C. 5701 Sec. 302. Congressional statement of findings

The Congress hereby finds that--

(1) juveniles who have become homeless or who leave and remain away from home without parental permission, are at risk of developing serious health and other problems because they lack sufficient resources to obtain care and may live on the street for extended periods thereby endangering themselves and creating a substantial law enforcement problem for communities in which they congregate;

(2) the exact nature of the problem is not well defined because national statistics on the size and profile of the runaway youth population are not tabulated;

are (3) many such young people, because of their age and situation,
urgently in need of temporary shelter and counseling services;

children (4) the problem of locating, detaining, and returning runaway
should not be the responsibility of already overburdened police
departments and juvenile justice authorities;

responsibility (5) in view of the interstate nature of the problem, it is the
problem of the Federal Government to develop accurate reporting of the
residential nationally and to develop an effective system of care (including
system; preventive services, emergency shelter services, and extended
shelter) outside the welfare system and the law enforcement

health, (6) runaway and homeless youth have a disproportionate share of
population behavioral, and emotional problems compared to the general
appropriate of youth, but have less access to health care and other
residential services and therefore may need access to longer periods of
care, more intensive aftercare service, and other assistance;

complete (7) to make a successful transition to adulthood, runaway youth,
skills, and homeless youth, and other street youth need opportunities to
obtain employment;

responsibility (8) in view of the interstate nature of the problem, it is the
reporting of the Federal Government to develop an accurate national
prevention, system and to develop an effective system of care including
the public emergency shelter services, and longer residential care outside
welfare and law enforcement structures;

needed (9) early intervention services (such as home-based services) are
the to prevent runaway and homeless youth from becoming involved in
juvenile justice system and other law enforcement systems; and

where (10) street-based services that target runaway and homeless youth
but they congregate are needed to reach youth who require assistance

services who would not otherwise avail themselves of such assistance or
without street-based outreach.

42 U.S.C. 5702 Sec. 303. Rules

as the The Secretary of Health and Human Services (hereinafter in this
purposes of subchapter referred to as the "Secretary") may issue such rules
Secretary considers necessary or appropriate to carry out the
this subchapter.

SUBCHAPTER III--RUNAWAY AND HOMELESS YOUTH
PART A--RUNAWAY AND HOMELESS YOUTH GRANT PROGRAM

42 U.S.C. 5711 Sec. 311. Authority to make grants

centers. (a) Establishment and operation of runaway and homeless youth
(and The Secretary shall make grants to public and private entities
(including combinations of such entities) to establish and operate
renovation) local runaway and homeless youth centers to provide
services to deal primarily with the immediate needs of runaway or
otherwise homeless youth, and their families, in a manner which
is outside the law enforcement system, the child welfare system, the
mental health system, and the juvenile justice system.

private entities (b) Allotment of funds for grants; priority given to certain

subsection (1) Subject to paragraph (2) and in accordance with regulations
promulgated under this subchapter, funds for grants under

the States (a) of this section shall be allotted annually with respect to
are less on the basis of their relative population of individuals who
than 18 years of age.

paragraph (1) (2) Subject to paragraph (3), the amount allotted under
than with respect to each State for a fiscal year shall be not less
of the \$100,000, except that the amount allotted to the Virgin Islands
United States, Guam, American Samoa, the Trust Territory of the
Pacific Islands, and the Commonwealth of the Northern Mariana
Islands shall be not less than \$45,000 each.

(3) If, as a result of paragraph (2), the amount allotted under

be less
recipients
to satisfy
the
such
amount of
fiscal year

paragraph (1) with respect to a State for a fiscal year would
than the aggregate amount of grants made under this part to
in such State for fiscal year 1992, then the amounts allotted
the requirements of such paragraph shall be reduced pro rata to
extent necessary to allot under paragraph (1) with respect to
State for the fiscal year an amount equal to the aggregate
grants made under this part to recipients in such State for
1992.

(a) of
entities that

(4) In selecting among applicants for grants under subsection
this section, the Secretary shall give priority to private
have experience in providing the services described in such
subsection.

(c) Street-based services

make
that receive
operate

(1) If for a fiscal year the amount appropriated under section
5751(a)(1) of this title exceeds \$50,000,000, the Secretary may
grants under this subsection for that fiscal year to entities
grants under subsection (a) of this section to establish and
street-based service projects for runaway and homeless youth.

(2) For purposes of this part, the term "street-based services"
includes--

health care

(i) street-based crisis intervention and counseling;
(ii) information and referral for housing;
(iii) information and referral for transitional living and
services; and

(iv) advocacy, education, and prevention services for--

infection;

(I) alcohol and drug abuse;

(II) sexually transmitted diseases including HIV/AIDS

and

(III) physical and sexual assault.

(d) Home-based services

make
under
based
youth or

(1) If for a fiscal year the amount appropriated under section 5751(a)(1) of this title exceeds \$50,000,000, the Secretary may grants for that fiscal year to entities that receive grants subsection (a) of this section to establish and operate home-service projects for families that are separated, or at risk of separation, as a result of the physical absence of a runaway youth at risk of family separation.

that

(2) For purposes of this part--
(A) the term "home-based service project" means a project provides--

and

(i) case management; and
(ii) in the family residence (to the maximum extent practicable)--
(I) intensive, time-limited, family and individual counseling;
(II) training relating to life skills and parenting;
(III) other services; designed to prevent youth from running away from their families or to cause runaway youth to return to their families;

of

(B) the term "youth at risk of family separation" means an individual--
(i) who is less than 18 years of age; and
(ii)(I) who has a history of running away from the family such individual;

willing to

(II) whose parent, guardian, or custodian is not provide for the basic needs of such individual; or
(III) who is at risk of entering the child welfare juvenile justice system, as a result of the lack of available to the family to meet such needs; and

system or
services

6

(C) the term "time-limited" means for a period not to exceed months.

42 U.S.C. 5712 Sec. 312. Eligibility; plan requirements

temporary
under section
strengthen,
center, a
provides
left

(a) Runaway and homeless youth center; project providing shelter; counseling services. To be eligible for assistance 5711(a) of this title, an applicant shall propose to establish, or fund an existing or proposed runaway and homeless youth locally controlled project (including a host family home) that temporary shelter, and counseling services to juveniles who have left

home without permission of their parents or guardians or to other homeless juveniles.

section
Secretary

(b) Provisions of plan. In order to qualify for assistance under 5711(a) of this title, an applicant shall submit a plan to the including assurances that the applicant--

in an

(1) shall operate a runaway and homeless youth center located area which is demonstrably frequented by or easily reachable by runaway and homeless youth;

to fund a
facility

(2) shall use such assistance to establish, to strengthen, or runaway and homeless youth center, or a locally controlled providing temporary shelter, that has--

adequate

(A) a maximum capacity of not more than 20 youth; and
(B) a ratio of staff to youth that is sufficient to ensure supervision and treatment;

other
youth
local
established
and for
arrangements;

(3) shall develop adequate plans for contacting the parents or relatives of the youth and ensuring the safe return of the according to the best interests of the youth, for contacting government officials pursuant to informal arrangements with such officials by the runaway and homeless youth center providing for other appropriate alternative living

(4) shall develop an adequate plan for ensuring--

and
school
runaway
correctional
involvement of
ensuring, as
youth who
coordinating
where
to
section
and
be
parent or
disposition
and
the
reporting the

(A) proper relations with law enforcement personnel, health
mental health care personnel, social service personnel,
system personnel, and welfare personnel;

(B) coordination with personnel of the schools to which
and homeless youth will return, to assist such youth to stay
current with the curricula of those schools; and

(C) the return of runaway and homeless youth from
institutions;

(5) shall develop an adequate plan for providing counseling and
aftercare services to such youth, for encouraging the
their parents or legal guardians in counseling, and for
possible, that aftercare services will be provided to those
are returned beyond the State in which the runaway and homeless
youth center is located;

(6) shall develop an adequate plan for establishing or
with outreach programs designed to attract persons (including,
applicable, persons who are members of a cultural minority and
persons with limited ability to speak English) who are eligible
receive services for which a grant under subsection (a) of this
may be expended;

(7) shall keep adequate statistical records profiling the youth
family members whom it serves (including youth who are not
referred to out-of-home shelter services), except that records
maintained on individual runaway and homeless youth shall not
disclosed without the consent of the individual youth and
legal guardian to anyone other than another agency compiling
statistical records or a government agency involved in the
of criminal charges against an individual runaway and homeless
youth, and reports or other documents based on such statistical
records shall not disclose the identity of individual runaway
homeless youth;

(8) shall submit annual reports to the Secretary detailing how
center has been able to meet the goals of its plans and

statistical summaries required by paragraph (6);

(9) shall demonstrate its ability to operate under accounting procedures and fiscal control devices as required by the Secretary;

(10) shall submit a budget estimate with respect to the plan submitted by such center under this subsection; and

(11) shall supply such other information as the Secretary reasonably deems necessary.

(c) Street-based service project. To be eligible for assistance under section 5711(c) of this title, an applicant shall propose to establish, and the applicant agrees, as part of the project--

onstreet

(1) to provide qualified supervision of staff, including supervision by appropriately trained staff;

(2) to provide backup personnel for on-street staff;

(3) to provide informational and health educational material to runaway and homeless youth in need of services;

provide

(4) to provide initial and periodic training of staff who services under the project;

youth

(5) to carry out outreach activities for runaway and homeless youth and to collect statistical information on runaway and homeless contacted through such activities;

organizations

(6) to develop referral relationships with agencies and youth, that provide services or assistance to runaway and homeless including law enforcement, education, social services, vocational education and training, public welfare, legal assistance, mental health and health care;

received

(7) to submit to the Secretary an annual report that includes information regarding the activities carried out with funds

project under section 5711(c) of this title, the achievements of the
applicant, and under section 5711(c) of this title carried out by the
characteristics of statistical summaries describing the number and the
in the runaway and homeless youth who participate in such project
the year for which the report is submitted;

(8) to implement such accounting procedures and fiscal control
devices as the Secretary may require;

the (9) to submit to the Secretary an annual budget that estimates
applicant itemized costs to be incurred in the year for which the
requests a grant under section 5711(c) of this title;

and (10) to keep adequate statistical records that profile runaway
of homeless youth whom it serves and not to disclose the identity
statistical such youth in reports or other documents based on such
records;

runaway and (11) not to disclose records maintained on an individual
any homeless youth without the informed consent of the youth, to
person other than an agency compiling statistical records; and

(12) to provide to the Secretary such other information as the
Secretary may reasonably require.

under (d) Home-based service project. To be eligible for assistance
establish, section 5711(d) of this title, an applicant shall propose to
youth or strengthen, or fund a home-based service project for runaway
Secretary a plan youth at risk of family separation and shall submit to the
in which the applicant agrees, as part of the project--

family (1) to provide counseling and information services needed by
such runaway youth, youth at risk of family separation, and the
interpersonal (including unrelated individuals in the family household) of
mental youth, including services relating to basic life skills,
and skill building, educational advancement, job attainment skills,
and physical health care, parent training, financial planning,

referral to sources of other needed services;

(2) to provide directly, or through an arrangement made by the applicant, 24- hour service to respond to family crises

(including youth

immediate access to temporary shelter for runaway youth and at risk of family separation affected by family crises);

youth and success

(3) to establish in partnership with the families of runaway youth at risk of family separation, objectives and measures of to be achieved as a result of participating in such project;

provide

(4) to provide informational and health educational material to runaway youth and youth at risk of family separation in need of services;

(5) to provide initial and periodic training of staff who services under the project;

youth at information on

(6) to carry out outreach activities for runaway youth and risk of family separation, and to collect statistical runaway youth and youth at risk of family separation contacted through such activities;

(7) to ensure that--

intensive (5 participating

(i) caseloads will remain sufficiently low to allow for to 20 hours per week) involvement with each family in such project; and

provide

(ii) qualified supervision will be provided to staff who services under the project;

under

(8) to submit to the Secretary an annual report that includes information regarding the activities carried out with funds section 5711(d) of this title, the achievements of the project part carried out by the applicant and statistical summaries the number and the characteristics of the runaway youth and risk of family separation who participate in such project in for which the report is submitted;

under this describing youth at the year

(9) to implement such accounting procedures and fiscal control devices as the Secretary may require;

the
applicant
(10) to submit to the Secretary an annual budget that estimates itemized costs to be incurred in the year for which the requests a grant under section 5711(d) of this title;

youth
to
documents
(11) to keep adequate statistical records that profile runaway and youth at risk of family separation whom it serves and not disclose the identity of such youth in reports or other based on such statistical records;

runaway
informed
compiling
statistical records; and
(12) not to disclose records maintained on an individual youth or youth at risk of family separation without the consent of the youth, to any person other than an agency

(13) to provide to the Secretary such other information as the Secretary may reasonably require.

42 U.S.C. 5712d Sec. 316. Grants for prevention of sexual abuse and exploitation

section to
education,
referral
to or
(a) In general. The Secretary shall make grants under this private, nonprofit agencies for street-based outreach and including treatment, counseling, provision of information, and for runaway, homeless, and street youth who have been subjected are at risk of being subjected to sexual abuse.

subsection
agencies that have
youth.
(b) Priority. In selecting among applicants for grants under (a) of this section, the Secretary shall give priority to experience in providing services to runaway, homeless, and street youth.

(c) Authorization of appropriations. There are authorized to be appropriated to carry out this section--

(1) \$7,000,000 for fiscal year 1996;

(2) \$8,000,000 for fiscal year 1997; and

(3) \$15,000,000 for fiscal year 1998.

(d) Definitions. For the purposes of this section--

education
offenders
known

(1) the term "street-based outreach and education" includes and prevention efforts directed at offenses committed by who are not known to the victim as well as offenders who are to the victim; and

significant

(2) the term "street youth" means a juvenile who spends a amount of time on the street or in other areas of exposure to encounters that may lead to sexual abuse.

42 U.S.C. 5713 Sec. 313. Approval of application by Secretary; priority

grant under
Secretary
section 5711(a),
section
than
5711(a) of
and

An application by a State, locality, or private entity for a section 5711(a), (c), or (d) of this title may be approved by the only if it is consistent with the applicable provisions of (c), or (d) of this title and meets the requirements set forth in 5712 of this title. Priority shall be given to grants smaller than \$200,000. In considering grant applications under section this title, priority shall be given to organizations which have a demonstrated experience in the provision of service to runaway and homeless youth and their families.

42 U.S.C. 5714 Sec. 314. Grants to private entities; staffing

private
but which
be
youth
under this
facilities

Nothing in this subchapter shall be construed to deny grants to entities which are fully controlled by private boards or persons in other respects meet the requirements of this part and agree to be legally responsible for the operation of the runaway and homeless center and the programs, projects, and activities they carry out subchapter. Nothing in this subchapter shall give the Federal Government control over the staffing and personnel decisions of receiving Federal funds under this subchapter.

SUBCHAPTER III--RUNAWAY AND HOMELESS YOUTH
PART B--TRANSITIONAL LIVING GRANT PROGRAM

42 U.S.C. 5714-1 Sec. 321. Purpose and authority for program

technical

(a) The Secretary is authorized to make grants and to provide

and operate assistance to public and nonprofit private entities to establish transitional living youth projects for homeless youth.

(b) For purposes of this part--

(1) the term "homeless youth" means any individual--

21 (A) who is not less than 16 years of age and not more than years of age;

environment with (B) for whom it is not possible to live in a safe a relative; and

and (C) who has no other safe alternative living arrangement;

project that (2) the term "transitional living youth project" means a provides shelter and services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

42 U.S.C. 5714-2 Sec. 322. Eligibility

shall (a) To be eligible for assistance under this part, an applicant youth plan in propose to establish, strengthen, or fund a transitional living project for homeless youth and shall submit to the Secretary a which such applicant agrees, as part of such project--

homes, (1) to provide, directly or indirectly, shelter (such as group host family homes, and supervised apartments) and services skills (including information and counseling services in basic life which shall include money management, budgeting, consumer educational education, and use of credit, interpersonal skill building, health advancement, job attainment skills, and mental and physical care) to homeless youth;

homeless (2) to provide such shelter and such services to individual youth throughout a continuous period not to exceed 540 days;

each (3) to provide, directly or indirectly, on-site supervision at shelter facility that is not a family home;

shall have (4) that such shelter facility used to carry out such project
(excluding the capacity to accommodate not more than 20 individuals
staff);

homeless (5) to provide a number of staff sufficient to ensure that all
supervision and youth participating in such project receive adequate
services;

based on (6) to provide a written transitional living plan to each youth
transition an assessment of such youth's needs, designed to help the
living or from supervised participation in such project to independent
another appropriate living arrangement;

homeless (7) to develop an adequate plan to ensure proper referral of
vocational, youth to social service, law enforcement, educational,
to help training, welfare, legal service, and health care programs and
integrate and coordinate such services for youths;

designed to (8) to provide for the establishment of outreach programs
project; attract individuals who are eligible to participate in the

under this (9) to submit to the Secretary an annual report that includes
out by the information regarding the activities carried out with funds
the part, the achievements of the project under this part carried
project applicant and statistical summaries describing the number and
characteristics of the homeless youth who participate in such
in the year for which the report is submitted;

(10) to implement such accounting procedures and fiscal control
devices as the Secretary may require;

the (11) to submit to the Secretary an annual budget that estimates
applicant itemized costs to be incurred in the year for which the
requests a grant under this part;

youth (12) to keep adequate statistical records profiling homeless
homeless which it serves and not to disclose the identity of individual

records; youth in reports or other documents based on such statistical

youth (13) not to disclose records maintained on individual homeless
other without the informed consent of the individual youth to anyone
than an agency compiling statistical records; and

(14) to provide to the Secretary such other information as the
Secretary may reasonably require.

this (b) In selecting eligible applicants to receive grants under
have part, the Secretary shall give priority to entities that
services of experience in providing to homeless youth shelter and
the types described in subsection (a)(1) of this section.

SUBCHAPTER III--RUNAWAY AND HOMELESS YOUTH
PART C--NATIONAL COMMUNICATIONS SYSTEM

42 U.S.C. 5714-11 Sec. 331. Authority to make grants

Secretary With funds reserved under section 5751(a)(3) of this title, the
runaway shall make grants for a national communication system to assist
applicants and homeless youth in communicating with their families and with
and service providers. The Secretary shall give priority to grant
that have experience in providing telephone services to runaway
homeless youth.

SUBCHAPTER III--RUNAWAY AND HOMELESS YOUTH
PART D--COORDINATING, TRAINING, RESEARCH, AND OTHER ACTIVITIES

42 U.S.C. 5714-21 Sec. 341 Coordination

employment, With respect to matters relating to the health, education,
and housing of runaway and homeless youth, the Secretary shall
and coordinate the activities of agencies of the Department of Health
with the Human Services with the activities of other Federal entities and
this activities of entities that are eligible to receive grants under
subchapter.

42 U.S.C. 5714-22 Sec. 342. Grants for technical assistance and training

The Secretary may make grants to statewide and regional nonprofit

organizations (and combinations of such organizations) to provide technical assistance and training to public and private entities (and combinations of such entities) that are eligible to receive grants under this subchapter, for the purpose of carrying out the programs, projects, or activities for which such grants are made.

42 U.S.C. 5714-23 Sec. 343. Authority to make grants for research, demonstration, and service projects

(a) Authorization; purposes. The Secretary may make grants to States, localities, and private entities (and combinations of such entities) to carry out research, demonstration, and service projects designed to increase knowledge concerning, and to improve services for, runaway youth and homeless youth.

(b) Selection factors; special considerations. In selecting among applications for grants under subsection (a) of this section, the Secretary shall give special consideration to proposed projects relating to--

homes;

(1) youth who repeatedly leave and remain away from their

(2) home-based and street-based services for, and outreach to, runaway youth and homeless youth;

connection

(3) transportation of runaway youth and homeless youth in with services authorized to be provided under this subchapter;

programs

(4) the special needs of runaway youth and homeless youth in rural areas;

(5) the special needs of programs that place runaway youth and homeless youth in host family homes;

(6) staff training in--

(A) the behavioral and emotional effects of sexual abuse and assault;

abuse

(B) responding to youth who are showing effects of sexual and assault; and

(C) agency-wide strategies for working with runaway and homeless youth who have been sexually victimized;

centers; (7) innovative methods of developing resources that enhance the establishment or operation of runaway and homeless youth

training, (8) training for runaway youth and homeless youth, and staff related to preventing and obtaining treatment for infection by the human immunodeficiency virus (HIV);

care) for (9) increasing access to health care (including mental health runaway youth and homeless youth; and

homeless (10) increasing access to education for runaway youth and youth.

subsection (c) Priority. In selecting among applicants for grants under

applicants who (a) of this section, the Secretary shall give priority to have experience working with runaway youth or homeless youth.

42 U.S.C. 5714-24 Sec. 344. Temporary demonstration projects to provide services to youth in rural areas

title, the (a)(1) With funds appropriated under section 5751(c) of this Secretary may make grants on a competitive basis to States, localities, and private entities (and combinations of such entities) to provide services (including transportation) authorized to be provided under part A of this subchapter, to runaway and homeless youth in rural areas.

carry (2) (A) Each grant made under paragraph (1) may not exceed \$100,000.

to (B) In each fiscal year for which funds are appropriated to out this section, grants shall be made under paragraph (1) eligible applicants to carry out projects in not fewer than 10 States.

in (C) Not more than 2 grants may be made under paragraph (1) each fiscal year to carry out projects in a particular State.

year to
receive a
under this

(3) Each eligible applicant that receives a grant for a fiscal year to carry out a project under this section shall have priority to grant for the subsequent fiscal year to carry out a project under this section.

this section,

(b) To be eligible to receive a grant under subsection (a) of an applicant shall--

containing
rule;

(1) submit to the Secretary an application in such form and such information and assurances as the Secretary may require by and

that--

(2) propose to carry out such project in a geographical area

Area; and

(A) has a population under 20,000;

(B) is located outside a Standard Metropolitan Statistical

(C) agree to provide to the Secretary an annual report identifying--

(ii) were

(i) the number of runaway and homeless youth who receive services under the project carried out by the applicant;

(ii) the types of services authorized under part A of this subchapter that were needed by, but not provided to, such youth in the geographical area served by the project;

(iii) the reasons the services identified under clause not provided by the project; and

(iv) such other information as the Secretary may require.

SUBCHAPTER III--RUNAWAY AND HOMELESS YOUTH
PART E--GENERAL PROVISIONS

42 U.S.C. 5714a Sec. 371. Assistance to potential grantees

grantees

The Secretary shall provide informational assistance to potential interested in establishing runaway and homeless youth centers and transitional living youth projects. Such assistance shall consist of information on--

center

(1) steps necessary to establish a runaway and homeless youth

securing
staffing,
or transitional living youth project, including information on
space for such center or such project, obtaining insurance,
and establishing operating procedures;

operation
procedures
(2) securing local private or public financial support for the
of such center or such project, including information on
utilized by grantees under this subchapter; and

homeless
potential
(3) the need for the establishment of additional runaway and
youth centers in the geographical area identified by the
grantee involved.

42 U.S.C. 5714b Sec. 372. Lease of surplus Federal facilities for use as
runaway and homeless youth centers or as transitional living youth shelter
facilities

into
nonprofit
Federal
the
facilities if
(a) Conditions of lease arrangements. The Secretary may enter
cooperative lease arrangements with States, localities, and
private agencies to provide for the use of appropriate surplus
facilities transferred by the General Services Administration to
Department of Health and Human Services for use as runaway and
homeless youth centers or as transitional living youth shelter
the Secretary determines that--

necessary to
living
(1) the applicant involved has suitable financial support
operate a runaway and homeless youth center or transitional
youth project, as the case may be, under this subchapter;

subchapter,
part; and
(2) the applicant is able to demonstrate the program expertise
required to operate such center in compliance with this
whether or not the applicant is receiving a grant under this

of the
in
(3) the applicant has consulted with and obtained the approval
chief executive officer of the unit of general local government
which the facility is located.

Federal
ownership and consent
(b) Period of availability; rent-free use; structural changes;

made
fee shall
facility.

(1) Each facility made available under this section shall be available for a period of not less than 2 years, and no rent or be charged to the applicant in connection with use of such

made
United
after
Services.

(2) Any structural modifications or additions to facilities available under this section shall become the property of the States. All such modifications or additions may be made only receiving the prior written consent of the Secretary or other appropriate officer of the Department of Health and Human

SUBCHAPTER III--RUNAWAY AND HOMELESS YOUTH
PART F--ADMINISTRATIVE PROVISIONS

42 U.S.C. 5715 Sec. 381. Reports

the Secretary
the
the
runaway and
and E of

(a) Not later than 180 days after the end of each fiscal year, shall submit a report to the Committee on Education and Labor of House of Representatives and the Committee on the Judiciary of Senate on the status, activities, and accomplishments of the homeless youth centers that are funded under parts A, B, C, D, this subchapter, with particular attention to--

subchapter--

(1) in the case of centers funded under part A of this

runaway and

(A) their effectiveness in alleviating the problems of homeless youth;

and to

(B) their ability to reunite children with their families encourage the resolution of intrafamily problems through counseling and other services;

relationships and

(C) their effectiveness in strengthening family encouraging stable living conditions for children; and

future

(D) their effectiveness in helping youth decide upon a course of action; and

subchapter--

(2) in the case of centers funded under part B of this

by (A) the number and characteristic of homeless youth served
such projects;
such (B) describing the types of activities carried out under
projects;
immediate (C) the effectiveness of such projects in alleviating the
problems of homeless youth;
youth (D) the effectiveness of such projects in preparing homeless
for self- sufficiency;
decide (E) the effectiveness of such projects in helping youth
upon future education, employment, and independent living;
relationships, (F) the ability of such projects to strengthen family
and encourage the resolution of intrafamily problems through
skills; counseling and the development of self-sufficient living
and
(G) plans for the following fiscal year.

subsection (a) (b)(1) The Secretary shall include in the report required by
evaluation of the of this section an evaluation of the results of Federal
subchapter and a programs, projects, and activities carried out under this
the description of the training provided to the persons who carry out
evaluation.

Secretary (2) As part of the evaluation described in paragraph (1), the
each shall require the persons who carry out the evaluation to visit
grantee on-site not less frequently than every 3 years.
42 U.S.C. 5716 Sec. 382. Federal and non-Federal share; methods of payment

the (a) The Federal share for the renovation of existing structures,
costs of provision of counseling services, staff training, and the general
90 per operations of such facility's budget for any fiscal year shall be
centum. The non- Federal share may be in cash or in kind, fairly
services. evaluated by the Secretary, including plant, equipment, or

advance,
of
(b) Payments under this section may be made in installments, in
or by way of reimbursement, with necessary adjustments on account
overpayments or underpayments.

42 U.S.C. 5731 Sec. 383. Restrictions on disclosure and transfer

this
any
Records containing the identity of individual youths pursuant to
chapter may under no circumstances be disclosed or transferred to
individual or to any public or private agency.

42 U.S.C. 5732 Sec. 384. Annual program priorities

annually
specifying
under
(a) The Secretary shall develop for each fiscal year, and publish
in the Federal Register for public comment a proposed plan
the subject priorities the Secretary will follow in making grants
this subchapter for such fiscal year.

period
Secretary shall
final plan
section.
(b) Taking into consideration comments received in the 45-day
beginning on the date the proposed plan is published, the
develop and publish, before December 31 of such fiscal year, a
specifying the priorities referred to in subsection (a) of this

42 U.S.C. 5751 Sec. 385. Authorization of appropriations

5714-24
as may
(a) Part A of this subchapter
(1) There are authorized to be appropriated to carry out this
subchapter (other than part B of this subchapter and section
of this title) \$75,000,000 for fiscal year 1993 and such sums
be necessary for fiscal years 1994, 1995, and 1996.

section
(2) Not less than 90 percent of the funds appropriated under
paragraph (1) for a fiscal year shall be available to carry out
5711(a) of this title in such fiscal year.

(3) After making the allocation required by paragraph (2), the
Secretary shall reserve for the purpose of carrying out section
5714-11 of this title--

communications
equipment;
(A) for fiscal year 1993 not less than \$912,500, of which
\$125,000 shall be available for the acquisition of

- (B) for fiscal year 1994 not less than \$826,900;
- (C) for fiscal year 1995 not less than \$868,300; and
- (D) for fiscal year 1996 not less than \$911,700.

are in
be
to
purpose of

(4) In the use of funds appropriated under paragraph (1) that excess of \$38,000,000 but less than \$42,600,000, priority may given to awarding enhancement grants to programs (with priority programs that receive grants of less than \$85,000), for the allowing such programs to achieve higher performance standards, including--

and

intervention,

- (A) increasing and retaining trained staff;
- (B) strengthening family reunification efforts;
- (C) improving aftercare services;
- (D) fostering better coordination of services with public private entities;
- (E) providing comprehensive services, including health and mental health care, education, prevention and crisis and vocational services; and
- (F) improving data collection efforts.

in

(5) In the use of funds appropriated under paragraph (1) that are excess of \$42,599,999--

activities

- (A) 50 percent may be targeted at developing new programs in unserved or underserved communities; and
- (B) 50 percent may be targeted at program enhancement described in paragraph (3).

(b) Part B of this subchapter--

appropriated
sums as

(1) Subject to paragraph (2), there are authorized to be to carry out (B) \$25,000,000 for fiscal year 1993 and such may be necessary for fiscal years 1994, 1995, and 1996.

appropriated

(2) No funds may be appropriated to carry out part B of this subchapter for a fiscal year unless the aggregate amount

for such fiscal year to carry out part A of this subchapter
exceeds \$26,900,000.

(c) Temporary demonstration projects. There is authorized to be
appropriated to carry out section 5714-24 of this title
\$1,000,000 for each of fiscal years 1993, 1994, 1995, and 1996.

(d) Consultative and coordinating requirements. The Secretary
(through the Office of Youth Development which shall administer this
subchapter) shall consult with the Attorney General (through the
Administrator of the Office of Juvenile Justice and Delinquency Prevention) for the
purpose of coordinating the development and implementation of programs
and activities funded under this subchapter with those related
programs and activities funded under subchapter II of this chapter and under
the Omnibus Crime Control and Safe Streets Act of 1968, as amended
[42 U.S.C. s 3701 et seq.].

(e) Conditions for use of funds. No funds appropriated to carry
out the purposes of this subchapter--

(1) may be used for any program or activity which is not
specifically authorized by this subchapter; or
(2) may be combined with funds appropriated under any other Act
if the purpose of combining such funds is to make a single
discretionary grant or a single discretionary payment unless such funds are
separately identified in all grants and contracts and are used
for the purposes specified in this subchapter.

SUBCHAPTER IV--MISSING CHILDREN

42 U.S.C. 5771 Sec. 402. Congressional findings

The Congress hereby finds that--

(1) each year thousands of children are abducted or removed
from the control of a parent having legal custody without such parent's
grave consent, under circumstances which immediately place them in
danger;

families; (2) many of these children are never reunited with their
children; (3) often there are no clues to the whereabouts of these
harm and (4) many missing children are at great risk of both physical
sexual exploitation;
have (5) in many cases, parents and local law enforcement officials
search neither the resources nor the expertise to mount expanded
efforts;
State, (6) abducted children are frequently moved from one locality to
another, requiring the cooperation and coordination of local,
and Federal law enforcement efforts;
assistance (7) on frequent occasions, law enforcement authorities quickly
exhaust all leads in missing children cases, and require
assist in from distant communities where the child may be located; and
(8) Federal assistance is urgently needed to coordinate and
this interstate problem.

42 U.S.C. 5772 Sec. 403. Definitions

For the purpose of this subchapter--

years of (1) the term "missing child" means any individual less than 18
custodian age whose whereabouts are unknown to such individual's legal
if--

disappearance (A) the circumstances surrounding such individual's
indicate that such individual may possibly have been removed by
without another from the control of such individual's legal custodian
such custodian's consent; or

(B) the circumstances of the case strongly indicate that such
individual is likely to be abused or sexually exploited; and

Office of (2) the term "Administrator" means the Administrator of the
Juvenile Justice and Delinquency Prevention.

42 U.S.C. 5773 Sec. 404. Duties and functions of the Administrator

(a) Description of activities. The Administrator shall--

or

(1) issue such rules as the Administrator considers necessary appropriate to carry out this subchapter;

to

(2) make such arrangements as may be necessary and appropriate facilitate effective coordination among all federally funded programs relating to missing children (including the preparation of an annual comprehensive plan for facilitating such coordination);

subsection (b)(1)

(3) provide for the furnishing of information derived from the national toll- free telephone line, established under of this section, to appropriate entities;

necessary

(4) provide adequate staff and agency resources which are to properly carry out the responsibilities pursuant to this subchapter;

and

(5) not later than 180 days after the end of each fiscal year, submit a report to the President, Speaker of the House of Representatives, and the President pro tempore of the Senate--

cooperation

(A) containing a comprehensive plan for facilitating and coordination in the succeeding fiscal year among all agencies and organizations with responsibilities related to missing children;

and

(B) identifying and summarizing effective models of Federal, State, and local coordination and cooperation in locating recovering missing children;

that

(C) identifying and summarizing effective program models provide treatment, counseling, or other aid to parents of missing children or to children who have been the victims of abduction;

requirements

(D) describing how the Administrator satisfied the of paragraph (4) in the preceding fiscal year;

calls

(E) describing in detail the number and types of telephone

toll-free
 this
 to
 received in the preceding fiscal year over the national
 telephone line established under subsection (b)(1)(A) of
 section and the number and types of communications referred
 the national communications system established under section
 5712a of this title;

fiscal year
 established
 (F) describing in detail the activities in the preceding
 of the national resource center and clearinghouse
 under subsection (b)(2) of this section;

fiscal
 (G) describing all the programs for which assistance was
 provided under section 5775 of this title in the preceding
 year;

title in the
 (H) summarizing the results of all research completed in the
 preceding year for which assistance was provided at any time
 under this subchapter; and

clearinghouse
 (I)(i) identifying each clearinghouse with respect to which
 assistance is provided under section 5775(a)(9) of this
 preceding fiscal year;

(other than
 received by
 (ii) describing the activities carried out by such
 in such fiscal year;

(iii) specifying the types and amounts of assistance
 assistance under section 5775(a)(9) of this title)
 such clearinghouse in such fiscal year; and

(iv) specifying the number and types of missing children
 cases handled (and the number of such cases resolved) by
 such clearinghouse in such fiscal year and summarizing the
 circumstances of each such cases.

resource center
 records and
 to or
 (b) Establishment of toll-free telephone line and national
 and clearinghouse; national incidence studies; use of school
 birth certificates. The Administrator, either by making grants
 entering into contracts with public agencies or nonprofit private
 agencies, shall--

telephone line
 location of
 (1)(A) establish and operate a national 24-hour toll-free
 by which individuals may report information regarding the

whose
request
child
any missing child, or other child 13 years of age or younger
whereabouts are unknown to such child's legal custodian, and
information pertaining to procedures necessary to reunite such
with such child's legal custodian; and

the
(B) coordinating the operation of such telephone line with
operation of the national communications system established
under section 5712a of this title;

clearinghouse
(2) establish and operate a national resource center and
designed--

private
(A) to provide to State and local governments, public and
nonprofit agencies, and individuals information regarding--

of
(i) free or low-cost legal, restaurant, lodging, and
transportation services that are available for the benefit
missing children and their families; and

out by
(ii) the existence and nature of programs being carried
Federal agencies to assist missing children and their
families;

custodians;
(B) to coordinate public and private programs which locate,
recover, or reunite missing children with their legal

and
(C) to disseminate nationally information about innovative
model missing childrens' programs, services, and
legislation;
and

of
(D) to provide technical assistance and training to law
enforcement agencies, State and local governments, elements
agencies,
the criminal justice system, public and private nonprofit
and individuals in the prevention, investigation,
prosecution, and
treatment of the missing and exploited child case and in
locating
and recovering missing children; and

determine for a
(3) periodically conduct national incidence studies to
year, given year the actual number of children reported missing each

strangers, the
and
the lawful
locate

the number of children who are victims of abduction by
number of children who are the victims of parental kidnappings,
the number of children who are recovered each year; and
(4) provide to State and local governments, public and private
nonprofit agencies, and individuals information to facilitate
use of school records and birth certificates to identify and
missing children.

contained in
any law
other

(c) Independent status of other Federal agencies. Nothing
this subchapter shall be construed to grant to the Administrator
enforcement responsibility or supervisory authority over any
Federal agency.

42 U.S.C. 5775 Sec. 405. Grant and contract authority

demonstration
to make
nonprofit

(a) Authority of Administrator; description of research,
projects, and service programs. The Administrator is authorized
grants to and enter into contracts with public agencies or
private organizations, or combinations thereof, for research,
demonstration projects, or service programs designed--

exploitation
of
would be
missing
and

(1) to educate parents, children, and community agencies and
organizations in ways to prevent the abduction and sexual
of children;
(2) to provide information to assist in the locating and return
missing children;
(3) to aid communities in the collection of materials which
useful to parents in assisting others in the identification of
children;
(4) to increase knowledge of and develop effective treatment
pertaining to the psychological consequences, on both parents
children, of--

(A) the abduction of a child, both during the period of
disappearance and after the child is recovered; and

(B) the sexual exploitation of a missing child;

on the
agencies in

minimizing
on

families in

section
recovery of

age will
custodians

in locating

(5) to collect detailed data from selected States or localities actual investigative practices utilized by law enforcement missing children's cases;

(6) to address the particular needs of missing children by the negative impact of judicial and law enforcement procedures children who are victims of abuse or sexual exploitation and by promoting the active participation of children and their cases involving abuse or sexual exploitation of children;

(7) to address the needs of missing children (as defined in 5772(1)(A) of this title) and their families following the such children;

(8) to reduce the likelihood that individuals under 18 years of be removed from the control of such individuals' legal without such custodians' consent; and

(9) to establish or operate statewide clearinghouse to assist and recovering missing children.

(b) Priorities of grant applicants. In considering grant applications under this subchapter, the Administrator shall give priority to applicants who--

(1) have demonstrated or demonstrate ability in--

(A) locating missing children or locating and reuniting children with their legal custodians;

(B) providing other services to missing children or their families;

or

(C) conducting research relating to missing children; and

(2) with respect to subparagraphs (A) and (B) of paragraph (1), substantially utilize volunteer assistance. The Administrator shall give first priority to applicants qualifying under subparagraphs (A) and (B) of paragraph (1).

(c) Non-Federal fund expenditures requisite for receipt of Federal

assistance. In order to receive assistance under this subchapter for a fiscal year, applicants shall give assurance that they will expend, to the greatest extent practicable, for such fiscal year an amount of funds (without regard to any funds received under any Federal law) that is not less than the amount of funds they received in the preceding fiscal year from State, local, and private sources.

42 U.S.C. 5776 Sec. 406. Criteria for grants

(a) Establishment of priorities and criteria; publication in Federal Register. In carrying out the programs authorized by this subchapter, the Administrator shall establish--

(1) annual research, demonstration, and service program priorities for making grants and contracts pursuant to section 5775 of this title; and

(2) criteria based on merit for making such grants and contracts. Not less than 60 days before establishing such priorities and criteria, the Administrator shall publish in the Federal Register for public comment a statement of such proposed priorities and criteria.

(b) Competitive selection process for grant or contract exceeding \$50,000. No grant or contract exceeding \$50,000 shall be made under this subchapter unless the grantee or contractor has been selected by a competitive process which includes public announcement of the availability of funds for such grant or contract, general criteria for the selection of recipients or contractors, and a description of the application process and application review process.

(c) Multiple grants or contracts to same grantee or contractor. Multiple grants or contracts to the same grantee or contractor within any 1 year to support activities having the same general purpose shall be deemed to be a single grant for the purpose of this subsection, but multiple grants or contracts to the same grantee or contractor to support clearly distinct activities shall be considered separate grants or contractors.

42 U.S.C. 5776a Sec. 407. Missing and Exploited Children's Task Force

(a) Establishment. There is established a Missing and Exploited Children's Task Force (referred to as the "Task Force").

(b) Membership

from (1) In general. The Task Force shall include at least 2 members each of--

(A) the Federal Bureau of Investigation;

(B) the Secret Service;

(C) the Bureau of Alcohol, Tobacco and Firearms;

(D) the United States Customs Service;

(E) the Postal Inspection Service;

(F) the United States Marshals Service; and

(G) the Drug Enforcement Administration.

Investigation (in (2) Chief. A representative of the Federal Bureau of paragraph addition to the members of the Task Force selected under

(1)(A)) shall act as chief of the Task Force.

(3) Selection

shall (A) The Director of the Federal Bureau of Investigation select the chief of the Task Force.

shall (B) The heads of the agencies described in paragraph (1) submit to the chief of the Task Force a list of at least 5 prospective Task Force members, and the chief shall select 2, or such greater number as may be agreeable to an agency head, as Task Force members.

shall (4) Professional qualifications. The members of the Task Force would be law enforcement personnel selected for their expertise that and enable them to assist in the investigation of cases of missing exploited children.

employee of (5) Status. A member of the Task Force shall remain an

purpose of
shall
status and

his or her respective agency for all purposes (including the performance review), and his or her service on the Task Force be without interruption or loss of civil service privilege or shall be on a nonreimbursable basis.

(6) Period of service

from the
to a
new
ending in
the
years.

(A) Subject to subparagraph (B), 1 member from each agency shall initially serve a 1-year term, and the other member same agency shall serve a 1-year term, and may be selected renewal of service for 1 additional year; thereafter, each member to serve on the Task Force shall serve for a 2-year period with the member's term of service beginning and alternate years with the other member from the same agency; period of service for the chief of the Task Force shall be 3

head
5
Task
membership

(B) The chief of the Task Force may at any time request the of an agency described in paragraph (1) to submit a list of prospective Task Force members to replace a member of the Force, for the purpose of maintaining a Task Force that will be able to meet the demands of its caseload.

(c) Support

the Task
such
Center, so as
of the

(1) In general. The Administrator of the General Services Administration, in coordination with the heads of the agencies described in subsection (b)(1) of this section, shall provide Force office space and administrative and support services, office space to be in close proximity to the office of the to enable the Task Force to coordinate its activities with that Center on a day-to-day basis.

attorney to
Force.

(2) Legal guidance. The Attorney General shall assign an provide legal guidance, as needed, to members of the Task

(d) Purpose

(1) In general. The purpose of the Task Force shall be to make

available the combined resources and expertise of the agencies described in paragraph (1) to assist State and local governments in the most difficult missing and exploited child cases nationwide, as identified by the chief of the Task Force from time to time, in consultation with the Center, and as many additional cases as resources permit, including the provision of assistance to State and local investigators on location in the field.

(2) Technical assistance. The role of the Task Force in any investigation shall be to provide advice and technical assistance and to make available the resources of the agencies described in subsection (b)(1) of this section; the Task Force shall not take a leadership role in any such investigation.

(e) Cross-designation of Task Force members. The attorney general may cross-designate the members of the Task Force with jurisdiction to enforce Federal law related to child abduction to the extent necessary to accomplish the purposes of this section.

42 U.S.C. 5777 Sec. 408. Authorization of appropriations

To carry out the provisions of this subchapter, there are authorized to be appropriated such sums as may be necessary for fiscal years 1993, 1994, 1995, and 1996.

42 U.S.C. 5778 Sec. 409. Special study and report

(a) Not later than 1 year after November 18, 1988, the Administrator shall begin to conduct a study to determine the obstacles that prevent or impede individuals who have legal custody of children from recovering such children from parents who have removed such children from such individuals in violation of law.

(b) Not later than 3 years after November 18, 1988, the Secretary shall submit a report to the chairman of the Committee on Education and Labor of the House of Representatives and the chairman of the Committee on the Judiciary of the Senate containing a description, and a summary of the results, of the study conducted under subsection (a) of this section.

42 U.S.C. 5779 Sec. 3701. Reporting requirement

agency
reported to
Department

(a) In general. Each Federal, State, and local law enforcement shall report each case of a missing child under the age of 18 such agency to the National Crime Information Center of the of Justice.

for the
the

(b) Guidelines. The Attorney General may establish guidelines collection of such reports including procedures for carrying out purposes of this Act.

and section

(c) Annual summary. The Attorney General shall publish an annual statistical summary of the reports received under this section 5780 of this title.

42 U.S.C. 5780 Sec. 3702. State requirements

section

Each State reporting under the provisions of this section and 5779 of this title shall--

establishes
waiting
report;

(1) ensure that no law enforcement agency within the State or maintains any policy that requires the observance of any period before accepting a missing child or unidentified person

available
shall

(2) provide that each such report and all necessary and information, which, with respect to each missing child report, include--

eye

(A) the name, date of birth, sex, race, height, weight, and and hair color of the child;

child;

(B) the date and location of the last known contact with the

and

and the
within

(C) the category under which the child is reported missing; is entered immediately into the State law enforcement system National Crime Information Center computer networks and made available to the Missing Children Information Clearinghouse

receive such the State or other agency designated within the State to reports; and

paragraph (2), (3) provide that after receiving reports as provided in the law enforcement agency that entered the report into the National Crime Information Center shall--

record (A) no later than 60 days after the original entry of the into the State law enforcement system and National Crime Information Center computer networks, verify and update such record with any additional information, including, where available, medical and dental records;

investigative (B) institute or assist with appropriate search and procedures; and

Missing (C) maintain close liaison with the National Center for and Exploited Children for the exchange of information and technical assistance in the missing children cases.

SUBCHAPTER V--INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS

42 U.S.C. 5781 Sec. 502. Findings

The Congress finds that--

system (1) approximately 700,000 youth enter the juvenile justice every year;

(2) Federal, State, and local governments spend close to \$2,000,000,000 a year confining many of those youth;

prevent (3) it is more effective in both human and fiscal terms to delinquency than to attempt to control or change it after the fact;

justice (4) half or more of all States are unable to spend any juvenile formula grant funds on delinquency prevention because of other priorities;

prevention; (5) few Federal resources are dedicated to delinquency and

(6) Federal incentives are needed to assist States and local communities in mobilizing delinquency prevention policies and

programs.

42 U.S.C. 5782 Sec. 503. Definition

advisory In this subchapter, the term "State advisory group" means the
plan group appointed by the chief executive officer of a State under a
described in section 5633(a) of this title.

42 U.S.C. 5783 Sec. 504. Duties and functions of the Administrator

The Administrator shall--

this (1) issue such rules as are necessary or appropriate to carry out
subchapter;

facilitate (2) make such arrangements as are necessary and appropriate to
through coordination and policy development among all activities funded
(including the Department of Justice relating to delinquency prevention
such the preparation of an annual comprehensive plan for facilitating
coordination and policy development);

carry out (3) provide adequate staff and resources necessary to properly
this subchapter; and

submit a (4) not later than 180 days after the end of each fiscal year,
the report to the Chairman of the Committee on Education and Labor of
House of Representatives and the Chairman of the Committee on the
Judiciary of the Senate--

activities (A) describing activities and accomplishments of grant
funded under this subchapter;

activity (B) describing procedures followed to disseminate grant
products and research findings;

(C) describing activities conducted to develop policy and to
coordinate Federal agency and interagency efforts related to
delinquency prevention; and

recommendations (D) identifying successful approaches and making
for future activities to be conducted under this subchapter.

42 U.S.C. 5784 Sec. 505. Grants for prevention programs

be
local
section,
have
have
to

(a) Purposes. The Administrator may make grants to a State, to transmitted through the State advisory group to units of general government that meet the requirements of subsection (b) of this for delinquency prevention programs and activities for youth who had contact with the juvenile justice system or who are likely to contact with the juvenile justice system, including the provision children, youth, and families of--

- (1) recreation services;
- (2) tutoring and remedial education;
- (3) assistance in the development of work awareness skills;
- (4) child and adolescent health and mental health services;
- (5) alcohol and substance abuse prevention services;
- (6) leadership development activities; and
- (7) the teaching that people are and should be held accountable for their actions.

with respect

(b) Eligibility. The requirements of this subsection are met to a unit of general local government if--

of

- (1) the unit is in compliance with the requirements of part B subchapter II of this chapter;

plan

- (2) the unit has submitted to the State advisory group a 3-year outlining the unit's local front end plans for investment for delinquency prevention and early intervention activities;

Administrator for

- (3) the unit has included in its application to the formula grant funds a summary of the 3-year plan described in paragraph (2);

policy

- (4) pursuant to its 3-year plan, the unit has appointed a local board of no fewer than 15 and no more than 21 members with balanced representation of public agencies and private, nonprofit organizations serving children, youth, and families and business and industry;

delinquency,
services to
nutrition,

(5) the unit has, in order to aid in the prevention of
included in its application a plan for the coordination of
at-risk youth and their families, including such programs as
energy assistance, and housing;

recommendations
under this

(6) the local policy board is empowered to make all
for distribution of funds and evaluation of activities funded
subchapter; and

of the
contributions, to

(7) the unit or State has agreed to provide a 50 percent match
amount of the grant, including the value of in-kind
fund the activity.

section, the
ability

(c) Priority. In considering grant applications under this
Administrator shall give priority to applicants that demonstrate
in--

business

(1) plans for service and agency coordination and collaboration
including the colocation of services;

(2) innovative ways to involve the private nonprofit and
sector in delinquency prevention activities; and

local
delinquency

(3) developing or enhancing a statewide subsidy program to
governments that is dedicated to early intervention and
prevention.

42 U.S.C. 5785 Sec. 506. Authorization of appropriations

appropriated
for

To carry out this subchapter, there are authorized to be
\$30,000,000 for fiscal year 1993 and such sums as are necessary
fiscal years 1994, 1995, and 1996.